

**M e m o r a n d u m**

Date: November 23, 2009

To: Office of the Commissioner  
Attention: Commissioner J. A. Farrow

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Office of the Assistant Commissioner, Inspector General

File No.: 005.9968.9968.OccSafetyevaluation.doc

Subject: FINAL 2009 EVALUATION REPORT OF THE OCCUPATIONAL SAFETY PROGRAM

I am issuing this final evaluation report of the Occupational Safety Program (OSP) pursuant to Government Code (GC) §13887, the California Highway Patrol (CHP) Audit Charter and the CHP Audit Plan. In March 2009, we convened a team of departmental personnel to evaluate the effectiveness of the OSP and to identify opportunities to improve the quality and efficiency of departmental operations. The evaluation team assessed current Department policy contained in the Occupational Safety Manual (HPM 10.6), and other ancillary policies which directly relate to employee health and safety. These policies were evaluated for their effectiveness in achieving the highest possible level of employee safety, as well as compliance with all applicable laws and regulations.

The scope of the evaluation covered compliance with applicable laws and regulations, policy compliance by individual commands, and industry best practices. The evaluation team was also tasked with making recommendations regarding the list of safety recommendations and the development of a line-of-duty death database. The evaluation team carried out site visits at a representative number of field commands. During these visits, team members conducted interviews of the commander, Command Occupational Safety Coordinator and a sampling of employees. Documents were reviewed, including meeting minutes, accident reporting documents, Material Safety Data Sheets (MSDS), Injury and Illness Prevention Program (IIPP), Emergency Action Plan (EAP), and defensive driver training certifications. The evaluation team presented their recommendations to Executive Management on October 19, 2009. Executive Management's response to the recommendations is attached and included in the final report.

Each Office of Primary Interest (OPI) which has been assigned action items as listed in Executive Management's response memorandum will be required to provide the Office of Inspections (OISP), through channels, with a status report on implementing the recommendations.

*Safety, Service, and Security*

The first status report is due to OISP no later than January 25, 2010. If any of the recommendations remain open on that date, status reports on the six month and one year anniversary of the date of this memorandum will be requested.

In accordance with the *International Standards for the Professional Practice of Internal Auditing* and Government Code §13887 (a) (2), this report, the response, and any follow-up documentation is intended for the Office of the Commissioner; Office of the Assistant Commissioner, Staff; Office of the Assistant Commissioner, Field; Office of the Assistant Commissioner, Leadership Development and Communications; Office of the Assistant Commissioner, Inspector General; Administrative Services Division; Office of Legal Affairs; Office of Inspections; Office of Risk Management; and Office of the Academy. Please note this report restriction is not meant to limit distribution of the report, which is a matter of public record pursuant to Government Code §6250 et seq.

Furthermore, in accordance with the Governor's Executive Order S-20-09 to increase government transparency, this report will be posted on the CHP's internet website and on the Office of the Governor's webpage, located on the State's Government website. Should you have any questions or need additional information, please contact me at (916) 843-3005 or the evaluation team leader, Assistant Chief Dan Bower of Southern Division at (818) 240-8200.

  
M. C. A. SANTIAGO, CIG  
Assistant Commissioner

Attachments

cc: Office of the Assistant Commissioner, Staff  
Office of the Assistant Commissioner, Field  
Officer of the Assistant Commissioner, Leadership Development and Communications  
Administrative Services Division  
Office of Legal Affairs  
Office of Inspections  
Office of Risk Management  
Office of the Academy

**M e m o r a n d u m**

Date: October 22, 2009

To: Office of the Assistant Commissioner, Inspector General

Attention: Assistant Commissioner, M. C. A. Santiago

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Office of the Commissioner

File No.: 001.9486.12414.009.OSPevaluation

Subject: RESPONSE TO STATEWIDE EVALUATION OF THE OCCUPATIONAL  
SAFETY PROGRAM

On October 19, 2009, Assistant Chief D. Bower, Southern Division, and Lieutenant T. Hoose, Castaic Inspection Facility, presented Executive Management with their evaluation team findings and recommendations concerning the statewide evaluation of the Department's Occupational Safety Program (OSP). The following is a summary of the recommendations and Executive Management's decisions regarding each recommendation.

**1. Compliance with Laws and Regulations**

a. Current departmental policy fully complies with statutory obligations to provide and maintain a safe and healthy workplace for employees.

- *Agree.*

**2. Policy Compliance – Occupational Safety Committees**

a. Amend policy to require a minimum term of assignment for the Command Occupational Safety Coordinator (COSC) of one year.

- *Agree. Assigned to Office of Risk Management (ORM). The ORM is to include policy language in HPM 10.6, Occupational Safety Manual, which requires a minimum term of assignment of one year for Occupational Safety Coordinators at every level, e.g., Departmental Occupational Safety Board (DOSB), Division Occupational Safety Committee (DOSC), and COSC.*

b. Amend policy to require each Field Division administrative office to have its own Occupational Safety Committee and Coordinator.

- *Agree. Assigned to ORM. HPM 10.6 will be revised to address this recommendation.*

***Safety, Service, and Security***

- c. Amend policy to require COSC Coordinators be at the rank of supervisor or above.
- *Agree. Assigned to ORM. HPM 10.6 will be revised to address this recommendation.*

**3. Policy Compliance – Communication with Division of Occupational Safety and Health (DOSH)**

- a. Disseminate the “User’s Guide to Cal/OSHA” to all COSC Coordinators and reference this resource in HPM 10.6.
- *Agree. Assigned to ORM. The ORM will: provide a copy of the user’s guide to DOSB members; post a link on the departmental intranet; and, reference this guide in HPM 10.6.*
- b. Encourage commands to utilize the Cal/OSHA Consultation Service.
- *Agree. Assigned to ORM. The ORM will send a memorandum to DOSB members to inform them about the benefits of using the Cal/OSHA Consultation Service, post a link on the departmental intranet, and reference this service in HPM 10.6.*

**4. Policy Compliance -Vehicle Accident Reporting**

- a. Ensure commands maintain the CHP 442 [Individual Accident, Injury and Safety Recognition Record], CHP 208 [Accident Prevention Report], and STD 270 [Vehicle Accident Report] in the individual personnel file as required.
- *Agree. Assigned to Administrative Services Division (ASD). ASD will issue a Comm-Net reminding commanders to comply with existing policy. Additionally, ASD will revise, and convert to an Adobe PDF, the CHP 137A, [Personnel Transfer Checklist] to ensure that a transferred employee’s full file is forwarded to the new command.*
- *Assigned to the Office of Inspections (OISP). The OISP will include inspection criteria in the upcoming Chapter 24, Occupational Safety Program of HPM 22.1, Command Inspections Manual.*



**5. Policy Compliance – Injury and Illness Prevention Program (IIPP)**

- a. Require the CHP 712A [Injury and Illness Prevention Program Orientation and Review] and CHP 712 [Employee Emergency Action Plan Review] be signed by all employees during their annual performance appraisal.
  - *Agree. Assigned to ORM. HPM 10.6 will be revised to address this recommendation.*
- b. Modify the CHP 712A to include a signature and date box for subsequent annual review.
  - *Agree. Assigned to ORM. Additionally, under Part 2 of the CHP 712A include a box which requires annually the employee to answer the question, "Where is the IIPP kept?"*
- c. Occupational safety boards should be limited by policy to the required documents and postings.
  - *Agree. Assigned to ORM. HPM 10.6 will be revised to address this recommendation. Additionally, DOSB members will be advised at the next DOSB meeting.*
  - *Assigned to OISP. The OISP will include inspection criteria in the upcoming Chapter 24, Occupational Safety Program of HPM 22.1.*
- d. Occupational safety posters should be strategically placed throughout the facility and rotated on a regular basis to garner employee attention.
  - *Agree. Assigned to ORM to prepare a Comm-Net message asking commands to strategically place occupational safety posters. Additionally, the DOSB chairperson will address the issue at the next DOSB meeting.*

**6. Policy Compliance – Hazardous Substances Program**

- a. The Occupational Safety Unit should develop a Material Safety Data Sheet (MSDS) "How to" Guide, as modeled from Southern Division's MSDS binder for incorporation into each command's MSDS binder.
  - *Agree. Assigned to ORM. HPM 10.6 will be revised to include an example of a complete MSDS binder. Additionally, an exemplar of MSDS binder contents will be posted on the departmental intranet.*

- b. Encourage commands to include an index and section tabs for ease of use.
  - *Agree. Assigned to ORM. HPM 10.6 will include this requirement.*
- c. Encourage commands to update MSDS' utilizing the internet.
  - *Agree – Assigned to ORM. A Comm-Net will be issued advising commanders of the URL of relevant websites which provide MSDS information. HPM 10.6 will include a reference to these websites and ORM will include these links on the departmental intranet.*
- d. Amend policy to require commands have a current and comprehensive CHP 189 (Hazardous Substances Inventory) posted on the command occupational safety board as well as contained in the MSDS binder.
  - *Agree. Assigned to ORM. HPM 10.6 will be revised to address this recommendation.*

**7. Policy Compliance – Defensive Driver Training**

- a. Area training coordinators should receive access to non-uniformed employee training records. These records should be entered into the command's [Employee Training Records System] ETRS and training updated as received.
  - *Agree. Assigned to the Office of the Academy. Relevant policy will be revised to require the assignment of a command training coordinator who is responsible for maintaining the training records of all assigned personnel (uniformed and non-uniformed).*
  - *Assigned to OISP. The OISP will include inspection criteria in the upcoming Chapter 24, Occupational Safety Program, and Chapter 19, Training of HPM 22.1.*

**8. Policy Compliance – Facilities and Equipment**

- a. Blank CHP 113B, Hazard Report/Inspection should be made available on the occupational safety board for ease of employee access and awareness.
  - *Agree. Assigned to ORM. HPM 10.6 will be revised to include this recommendation. A Comm-Net will be issued advising commanders to print out copies of the CHP 113B and post them on occupational safety boards.*

October 22, 2009

b. Hazard reporting procedures and the use of the CHP 113B should be discussed during Area training days and/or Annual Performance Appraisal review of the IIPP.

- *Agree. Assigned to ORM. Combined with recommendation 5.b. The CHP 712A will be revised to include a reference to the availability of the CHP 113B. The hazard reporting procedure utilizing the CHP 113B will also be made available on the departmental intranet. HPM 10.6 will be revised to include this recommendation.*

9. **Policy Compliance – Command Accountability to Occupational Safety Program Policies and the Law**

a. Amend policy to require an annual self-inspection by the COSC Coordinator utilizing the checklist (CHP 453M) contained in HPG 22.1, Chapter 12.

- *Disagree. Assigned to ORM. HPM 10.6 will be revised which requires a newly-appointed Division or Command Occupational Safety Coordinator to conduct a command self-inspection pursuant to Chapter 24, Occupational Safety Program of HPM 22.1, within thirty days of his/her appointment.*
- *Assigned to OISP. A statewide Division-led Chapter 24 inspection has been included in the 2010 -2012 CHP Audit Plan and is programmed for the fourth quarter of 2010.*

10. **Setting of Annual Safety Goals**

a. Continue to establish a target of a five percent reduction of accidents, injuries, and illnesses based upon a command's previous three-year average.

- *Agree.*

11. **Safety Recommendations**

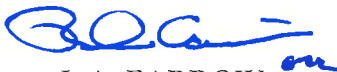
a. Recommend removing the safety recommendations list from the Department's intranet.

- *Agree. Assigned to Information Management Division (IMD). It was determined that all safety recommendations have been reviewed, consolidated, acted upon or addressed and that no new action is required on any listed item.*

12. **Line-of-Duty Death (LODD) Database**

- a. Recommend turning over the database project to IMD for conversion to an appropriate searchable database application which would be available on the intranet. It is also recommended that Disability and Retirement Unit be responsible for gathering information on new entries and providing updates to data as it becomes available.
- *Disagree in part. Assigned to ORM. The ORM will maintain the database in Microsoft Access. Division commands will be requested to provide data on incidents as they occur and those involving line of duty deaths since January 1, 1979. The ORM will publish trend data on the departmental intranet. HPM 10.6 will be revised to address this recommendation.*

Please convey my sincere appreciation to the evaluation team, Office of Inspections, and Inspector General staff for their time and diligence in supporting this Program Evaluation. I am confident their insightful recommendations will enhance the Department's management and oversight of the Occupational Safety Program.



J. A. FARROW  
Commissioner

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**



**OCCUPATIONAL SAFETY PROGRAM  
EVALUATION**

**ASSISTANT COMMISSIONER, INSPECTOR GENERAL  
SEPTEMBER 1, 2009**

# **TEAM MEMBERS**

## **OCCUPATIONAL SAFETY PROGRAM EVALUATION**

### **Evaluation Team Members**

Assistant Chief Dan Bower, #11748 - Southern Division  
Lieutenant Todd Hoose, #12186 - Castaic Inspection Facility  
Sergeant Jodi Legarra, #14888 - West Valley Area  
Sergeant Denise Joslin, #15143 - East Los Angeles Area  
Sergeant Rowell Del Rosario, #12414 – Office of Risk Management  
Sergeant Michael Hagen, #12257 - San Jose Area

### **Law/Regulation Analysis**

Officer Patrick Kimball, #15162 - Los Angeles Communications Center

### **Database Development**

Officer Randy Gunning, #13233 – Office of Risk Management

# **TABLE OF CONTENTS**



# TABLE OF CONTENTS

## **PART I**

Executive Summary	Pages i - vi
-------------------	--------------

## **PART II**

Occupational Safety Program Evaluation	Pages 1 – 29
--	--------------

## **PART III**

### Exhibits

Sample Assignment Memorandum	1
Accident and Injury Five-Year Compliance Data	2
User's Guide to Cal/OSHA	3
On-site Cal/OSHA Consultation at Your Workplace	4
Sample Utilities Shut-Off Guide	5
Sample Material Safety Data Sheet Binder	6
Industry Best Practices Memorandum – ABF Freight System, Inc.	7
Industry Best Practices Memorandum – Disneyland Resort	8
Allied Agency Best Practices – Los Angeles County Sheriff's Department	9
Allied Agency Best Practices – Los Angeles Police Department	10
Sample "IIPP Awareness" Memorandum	11
Understanding Material Safety Data Sheets (MSDS)	12
Sample "Drive Safe Team Meeting" Bulletin	13
Safety Recommendations Worksheet	14
Line of Duty Death Database Questionnaire	15
Web-Page Images from <a href="http://www.firefighternearmiss.com">www.firefighternearmiss.com</a>	16

# **PART I**

## **PART I**

### **EXECUTIVE SUMMARY**

In order to ensure a continuing safe and healthy working environment for all employees of the California Highway Patrol (CHP), the Assistant Commissioner, Inspector General (ACIG) directed a comprehensive evaluation of the Department's Occupational Safety Program. The evaluation team assessed current Department policy contained in the Occupational Safety Manual (HPM 10.6), and other ancillary policies which directly relate to employee health and safety, such as the documentation of injuries. These policies were evaluated for their effectiveness in achieving the highest possible level of employee safety, as well as compliance with all applicable laws and regulations. Specifically, the following issues associated with Department policy were analyzed:

1. Are current policies in full compliance with all applicable laws and regulations?
2. What is the level of policy compliance by departmental personnel in the following categories:
  - a. Occupational Safety Committees
  - b. Safety goals (five-year study on compliance in all tracked categories)
  - c. Communication with DOSH
  - d. Vehicle Accident Reporting
  - e. Injury and Illness Prevention Program (IIPP)
  - f. Hazardous Substances Program
  - g. Defensive Driver Training
  - h. Facilities and Equipment
3. How can we improve the Department's level of accountability to policy?
4. Which areas of the Department's occupational safety policy represent the highest risk to employees?
5. How do we measure the success of occupational safety policy and practices?
6. Is the current method of establishing goals realistic?
7. What additional training is necessary to ensure compliance with policy and an overall focus on safe work practices?
8. Which current policies and practices are the most effective in achieving safety (what are we doing right)?
9. Five-year history of departmental goal compliance in all tracked categories.

**Industry Best Practices:** The evaluation team assessed occupational safety policies/practices in two other similar-size law enforcement agencies (Los Angeles Police Department and Los Angeles County Sheriff's Department), as well as private industry.

**Safety Recommendations:** The evaluation team analyzed the "Safety Recommendations" list posted on the departmental intranet website. Recommendations have been made as to the disposition of the list, and whether or not certain issues should be re-visited.

## Occupational Safety Program Evaluation Executive Summary

**Line of Duty Death Database:** The evaluation team analyzed all line-of-duty deaths of CHP officers over the last 30 years. A prototype searchable database was created based on FBI data collection questionnaires.

### **Methodology**

In order to determine the level of compliance by departmental personnel to current occupational safety policies, the evaluation team conducted site visits at a representative number of field commands. During these visits, team members conducted interviews of the Commander, Command Occupational Safety Coordinator and a sampling of employees. Documents were reviewed including meeting minutes, accident reporting documents, Material Safety Data Sheets (MSDS), Injury and Illness Prevention Program (IIPP), Emergency Action Plan (EAP) and defensive driver training certifications.

Information gathered during this evaluation was used to formulate recommendations on policy changes related to training and accountability, as well as other questions identified in the Scope of this evaluation. An analysis was also completed as to whether or not current policy is in full compliance with all applicable laws and regulations.

### **Findings/Recommendations**

#### **Compliance with Laws and Regulations**

After a comprehensive study of CCR Title 8, Labor Code and other applicable laws, it is evident that HPM 10.6 fully complies with statutory obligations to provide and maintain a safe and healthy workplace for employees. Its content establishes the Department's general philosophy, roles and responsibilities to its employees, and establishes specific chapters to deal with distinctly identified health and safety issues.

#### **Policy Compliance**

Several recommendations were made to ensure continued compliance with Department policy in the following categories:

1. Occupational Safety Committees:
  - a. Amend policy to require a minimum term of assignment for the Command Occupational Safety Coordinator (COSC) of one year. Upon appointment, it is recommended the commander present a memorandum of assignment, detailing expectations and responsibilities.

**Discussion:** The evaluation team discovered inconsistencies in administration of the requirements of HPM 10.6, and a lack of continuity within the program at the Command level. A one year term will greatly enhance Area focus on the

Occupational Safety Program Evaluation  
Executive Summary

Occupational Safety Program and allow the COSC to develop some expertise in the numerous legal and policy demands.

- b. Amend policy to require each Field Division administrative office have its own Occupational Safety Committee and Coordinator.

Discussion: HPM 10.6 covers Field Areas and Headquarters administrative offices. A gap in policy coverage was discovered relating to Division administrative offices. Consequently, most Field Division offices do not have a Command Occupational Safety Coordinator or a committee which serves its employees.

- c. Amend policy to require Command Occupational Safety Coordinators be at the rank of supervisor or above.

Discussion: While most Areas complied with this concept, the importance of the program demands a level of oversight and credibility which only a supervisor or above can provide.

2. Communication with Division of Occupational Safety And Health (DOSH):

One of the most common violations depicted on Cal/OSHA citations received by individual commands is the absence of an updated Injury and Illness Prevention Program (IIPP) or lack of employee knowledge of the contents and/or location of the IIPP. The evaluation team has recommended the following resources to be distributed and/or communicated to Command Occupational Safety Coordinators:

- a. Disseminate the "User's Guide to Cal/OSHA" to all Command Occupational Safety Coordinators and reference this resource in HPM 10.6.
- b. Encourage commands to utilize the Cal/OSHA Consultation Service. This is a free service which offers the following benefits:
  - 1. Help employers identify hazards in the workplace.
  - 2. Suggest general approaches or options for solving health/safety problems.
  - 3. Identify kinds of help for employers if further technical assistance is needed.
  - 4. Provide employers with a written report, summarizing the findings.
  - 5. Assist employers in establishing or improving workplace IIPP.
  - 6. Assist with development of safety and health training programs.
  - 7. Possible exemption from DOSH Compliance Inspection for one year, provided the facility has less than 250 employees.

## Occupational Safety Program Evaluation Executive Summary

### 3. Vehicle Accident Reporting:

Ensure commands maintain the CHP 442, CHP 270, and STD 208 in the individual personnel file, as required. Although some commands maintain separate injury files and/or binders for ease of access, this practice is inconsistent with policy, creates the potential for misplaced files and often results in the failure of a transferred employee's full file being forwarded to the new command.

### 4. Injury and Illness Prevention Program (IIPP):

- a. Require the CHP 712A (Injury and Illness Prevention Program Orientation and Review) and CHP 712 (Employee Emergency Action Plan Review) be signed by all employees during their annual performance appraisal.
- b. Modify the CHP 712A to include a signature and date box for subsequent annual review.
- c. Occupational safety boards should be limited by policy to the required documents and postings.
- d. Occupational safety posters (distributed annually by the Department Occupational Safety Board) should be strategically placed throughout the facility and rotated on a regular basis to garner employee attention.

### 5. Hazardous Substances Program:

- a. The Occupational Safety Unit should develop a Material Safety Data Sheet (MSDS) "How to" Guide, as modeled from Southern Division's MSDS binder, for incorporation into each command's MSDS binder.
- b. Encourage commands to include an index and section tabs for ease of use.
- c. Encourage commands to update MSDS's utilizing the internet.
- d. Amend policy to require commands have a current and comprehensive CHP 189 (Hazardous Substances Inventory) posted on the command Occupational Safety Board, as well as contained in the MSDS binder.

### 6. Defensive Driver Training:

Area Training Coordinators should receive access to non-uniformed employee training records. These records should be entered into the command's ETRS and training updated as received.

Discussion: The evaluation team encountered difficulty in determining compliance with Defensive Driver training by non-uniformed employees due to the inconsistent manner in which non-uniformed employees' training records were kept. Area uniformed training coordinators often reported they had no access to non-uniformed training records and/or non-uniformed employees were not included in the Area ETRS.

## Occupational Safety Program Evaluation Executive Summary

### 7. Facilities and Equipment:

- a. Blank CHP 113B's (Hazard Report/Inspection) should be made available on the Occupational Safety Board for ease of employee access and awareness.
- b. Hazard reporting procedures and the use of the CHP 113B should be discussed during Area training days and/or Annual Performance Appraisal review of the IIPP.

Discussion: The CHP 113B is rarely used and employees interviewed during the course of the evaluation were not aware of its availability as a means to report potential occupational safety/facility hazards.

### 8. Command accountability to Occupational Safety Program policies and the law:

Amend policy to require an annual self-inspection by the Command Occupational Safety Coordinator utilizing the checklist (CHP 453M) contained in HPG 22.1, Chapter 12.

Discussion: The evaluation revealed that many commands had not conducted a voluntary self-inspection per HPG 22.1, Chapter 12 in several years. This is due to the current practice of allowing Divisions and Areas to choose self-inspection chapters to complete each year. The volume of policy and law requirements, coupled with the consequences of non-compliance (reduced employee safety and significant Cal/OSHA fines) demand focused attention by commands to this vital area of policy. Completion of the CHP 453M checklist each year will serve the dual purpose of ensuring compliance and enhancing the Command Occupational Safety Coordinator's expertise in the Occupational Safety Program.

### Setting of Annual Occupational Safety Goals

A new system for establishing annual accident, injury and illness goals was recently implemented. Under the new method, each command is given a goal of reducing accidents, injuries and illnesses by five percent, based on the command's previous three-year average. As the success of this new method will be determined over time, no change to the current system is recommended.

### Safety Recommendations

The evaluation team was tasked with analyzing the list of safety recommendations compiled as a result of a series of CHP line-of-duty deaths. Each of the 1,370 entries on the list was scrutinized and categorized in the following manner:

- A (accomplished): Recommendation will either be implemented, is already implemented or is addressed by policy, training or law.
- BU (bargaining unit): Recommendation deals with bargaining unit concerns.
- C (comment): Recommendation is only a comment, not a recommendation.
- IP (in progress): Recommendation is in the process of being implemented or evaluated.
- NF (not feasible): Recommendation was determined to be not feasible to implement.

## Occupational Safety Program Evaluation Executive Summary

The evaluation determined that all safety recommendations have been reviewed, consolidated, acted upon or addressed. No new action is required or necessary on any listed item. It is therefore recommended the safety recommendations list be removed from the Department's Intranet. This proposal should be referred to the Department Occupational Safety Board for final disposition.

### Line-of-Duty Death Database

The evaluation team developed a prototype searchable database intended to preserve records of CHP officers killed in the line-of-duty. It is intended the database be populated with information on the 66 line-of-duty deaths over the previous 30 years, and into the future. A 28-page questionnaire was used, based upon information gathered by the Federal Bureau of Investigation (FBI) in two categories: Feloniously Killed and Accidentally Killed. The definitive database application must ultimately be created using Information Management Division (IMD) approved software. It is therefore recommended the database project be turned over to IMD for conversion to an appropriate searchable database application which would be available on the intranet. Once the database is created, it is recommended that Disability and Retirement Unit (DRU) be responsible for gathering information on new entries and providing updates to data as it becomes available.



## PART II

## **PART II**

### **OCCUPATIONAL SAFETY PROGRAM EVALUATION**

#### **Introduction**

In order to ensure a continuing safe and healthy working environment for all employees of the California Highway Patrol (CHP), the Assistant Commissioner, Inspector General (ACIG) directed a comprehensive evaluation of the Department's Occupational Safety Program. The evaluation team was led by an Assistant Chief. Team members included a Lieutenant, four Sergeants and two Officers.

#### **Scope**

**Policy:** The evaluation assessed current Department policy contained in the Occupational Safety Manual (HPM 10.6) and other ancillary policies which directly relate to employee health and safety, such as the documentation of injuries. These policies were evaluated for their effectiveness in achieving the highest possible level of employee safety, as well as compliance with all applicable laws and regulations. Specifically, the following issues associated with Department policy were analyzed:

1. Are current policies in full compliance with all applicable laws and regulations?
2. What is the level of policy compliance by departmental personnel in the following categories:
  - a. Occupational Safety Committees
  - b. Safety goals (five-year study on compliance in all tracked categories)
  - c. Communication with DOSH
  - d. Vehicle Accident Reporting
  - e. Injury and Illness Prevention Program (IIPP)
  - f. Hazardous Substances Program
  - g. Defensive Driver Training
  - h. Facilities and Equipment
3. How can we improve the Department's level of accountability to policy?
4. Which areas of the Department's occupational safety policy represent the highest risk to employees?
5. How do we measure the success of occupational safety policy and practices?
6. Is the current method of establishing goals realistic?
7. What additional training is necessary to ensure compliance with policy and an overall focus on safe work practices?
8. Which current policies and practices are the most effective in achieving safety (what are we doing right)?
9. Five-year history of departmental goal compliance in all tracked categories.

Industry Best Practices: The evaluation team assessed occupational safety policies/practices in two other, similar-size, law enforcement agencies (Los Angeles Police Department and Los Angeles County Sheriff's Department), as well as private industry.

Safety Recommendations: The evaluation team analyzed the "Safety Recommendations" list posted on the departmental intranet website. Recommendations have been made as to the disposition of the list, and whether or not certain issues should be re-visited.

Line of Duty Death Database: The evaluation team analyzed all line-of-duty deaths of CHP officers over the last 30 years. A prototype searchable database was created based on FBI data collection questionnaires.

### **Methodology**

In order to determine the level of compliance by departmental personnel to current occupational safety policies, the evaluation team conducted site visits at a representative number of field commands. During these visits, team members conducted interviews of the Commander, Command Occupational Safety Coordinator and a sampling of employees. In addition, documents were reviewed including meeting minutes, accident reporting documents, Material Safety Data Sheets (MSDS), Injury and Illness Prevention Program (IIPP), Emergency Action Plan (EAP) and defensive driver training certifications.

Information gathered during this evaluation was used to formulate recommendations on policy changes related to training and accountability, as well as other questions identified in the Scope of this evaluation. An analysis was also completed as to whether or not current policy is in full compliance with all applicable laws and regulations.

### **1. Compliance with Laws and Regulations**

California's 1973 Occupational Safety and Health Act legally obligated every employer to provide and maintain a safe and healthy workplace for employees. The Act gave the California Occupational Safety and Health Administration (Cal/OSHA) regulatory jurisdiction in this matter. The California Highway Patrol drafted HPM 10.6 to comply with Cal/OSHA's regulations.

In 1991, Cal/OSHA enacted new regulations to expand every employer's legal obligations by requiring each employer to draft and implement an effective written program titled, "Injury and Illness Prevention Program." Cal/OSHA's intent was to effectively increase every employee's opportunity to work in a safe and healthy environment. The California Highway Patrol revised HPM 10.6 to satisfy Cal/OSHA's new regulations. HPM 10.6 contains 11 chapters entitled:

- 1) General Philosophy, Roles, and Responsibilities
- 2) Occupational Safety Board, Committees, And Administrative Support Staff
- 3) Accountability
- 4) Injury and Illness Prevention Program

- 5) Communication With Division of Occupational Safety and Health
- 6) Vehicle Accident Reports
- 7) Hazardous Substances Program
- 8) Defensive Driver Training
- 9) Hazardous Conditions and Substance Exposure Control Programs
- 10) Personal Protective Equipment
- 11) Ergonomic Program

Chapter 1 (General Philosophy, Roles, and Responsibilities) affirms the CHP's commitment to providing its employees with a safe and healthy work environment.

Chapter 2 (Occupational Safety Board, Committees, And Administrative Support Staff) identifies the creation and identification of safety boards and its members.

Chapter 3 (Accountability) addresses commanders' accountability for a safe work environment and for the safe performance of employees under the command. Commanders are responsible for the development and submission of the command's occupational safety goals, review of accidents and injuries and determination of preventability, scheduling of periodic safety inspections, quarterly preparation of the CHP 113, Accident and Injury Report, use of private vehicles on official business and the use of safety equipment.

These first three chapters capture Cal/OSHA's broad regulatory aim to assure each employee's safety and health at work. Chapters 2 and 3 satisfy CCR Title 8, section 3202's requirement that each employer establish a safety assessment committee that analyzes compliance with Cal/OSHA's regulations.

Chapter 4 (Injury and Illness Prevention Program) addresses the requirement that every command implement and maintain a written Injury and Illness Prevention Program (IIPP). Chapter 4 was created to comply with California Labor Code Section 6401.7 and CCR Title 8, Section 3203, which states every California employer shall establish, implement and maintain an effective written IIPP. These sections have not been significantly revised so current CHP policy is in full compliance.

Chapter 5 (Communication with Division of Occupational Safety and Health) describes the process to follow when a command receives a Complaint Letter from the Department of Industrial Relations, Division of Occupational Safety and Health (DOSH). It also addresses the regulatory requirement for emergency responders to contact DOSH when a death or serious injury or illness results. Chapter 5 was drafted to comply with California Labor Code Section 6314. The section has not been amended to date so CHP policy is in full compliance.

Chapter 6 (Vehicle Accident Reports) defines recordable vehicle accidents and provides routing direction for submission of all reports of vehicle accidents sustained by departmental employees on official business. These reports identify employee risks and correct unsafe practices so that a

safer work environment may be created. Chapter 6 compliments OSHA's broad regulatory aim to assure each employee's safety and health at work.

Chapter 7 (Hazardous Substances Program) addresses the information commands must make available to employees who may be exposed to hazardous substances used routinely in the workplace. This information includes identifying hazardous substances, ensuring applicable Material Safety Data Sheets (MSDS) are available, labeling of all hazardous substances routinely used and posting warning signs as necessary, training of employees and documentation of that training. Chapter 7 was specifically written to satisfy California Labor Code Section 6360 and CCR Title 8's General Industry Safety Order (GISO) 5194. This requires every employer to establish, implement and maintain a written Hazardous Substances Program for hazardous substances that are knowingly present in the workplace. Neither code has been modified to date so currently CHP is in full compliance.

Chapter 8 (Defensive Driver Training) addresses driver training provided to departmental employees who are required to drive on official business. Chapter 8 was drafted to comply with California's State Administrative Manual Section 0751. It compliments Cal/OSHA's general policy to safeguard employee's safety and health via safer drivers.

Chapter 9 (Hazardous Conditions and Substance Exposure Control Programs) establishes policy and procedure for the control of employee exposure to potentially harmful conditions and substances in the work environment. CCR Title 8, General Industry Safety Order (GISO) 3203, states that appropriate corrective measures shall be promptly taken if an unhealthy or unsafe condition, practice or procedure is identified or reported in the workplace. Further, GISO 5141 states that employees shall be protected from potentially harmful exposures to hazardous conditions and substances through the use of appropriate engineering and/or administrative controls. Chapter 9's policy appears to satisfy both codes and revised orders.

Chapter 10 (Personal Protective Equipment) establishes policy and procedures for employees' appropriate use of personal protective equipment (PPE). Chapter 10 was implemented to comply with CCR Title 8 and General Industry Safety Orders 3380-3385 that mandate use of personal protective equipment when appropriate. Its stated purpose is to protect workers from both health and physical hazards by creating a physical barrier between the worker and the foreseeable hazard. GISO 3380-3385's Subsections 6.0-6.4 limit its specific bodily area list to only include an employee's face and eyes (6.1), head (6.2), foot (6.3) and hand (6.4). Chapter 10's Section 7 includes these bodily areas as well, but also identifies other specific areas of concern, such as employees' back protection, hearing and respiration. Given this, Chapter 10's policy appears to exceed California's Title 8, GISO 3380-3385 regulations.

Chapter 11 (Ergonomic Program) establishes policy and procedure for an ergonomic program for all employees that perform repetitive motion work so that it minimizes each employee's risk at developing a repetitive motion injury (RMI). California Labor Code Section 6357 and CCR Title 8, Section 5110's General Industry Safety Order establish regulations that all employers must follow in order to minimize RMI's. Section 5110's GISO mandates a program that

includes worksite evaluations, measures to control exposures to RMIs and ergonomic training for employees. Chapter 11 was last revised in 11/2006, while both California codes have not been amended with regulatory effect since 1999. Based on Chapter 11's content compliance to mandated regulations, Chapter 11's policy and procedures are legally satisfactory.

### Conclusion

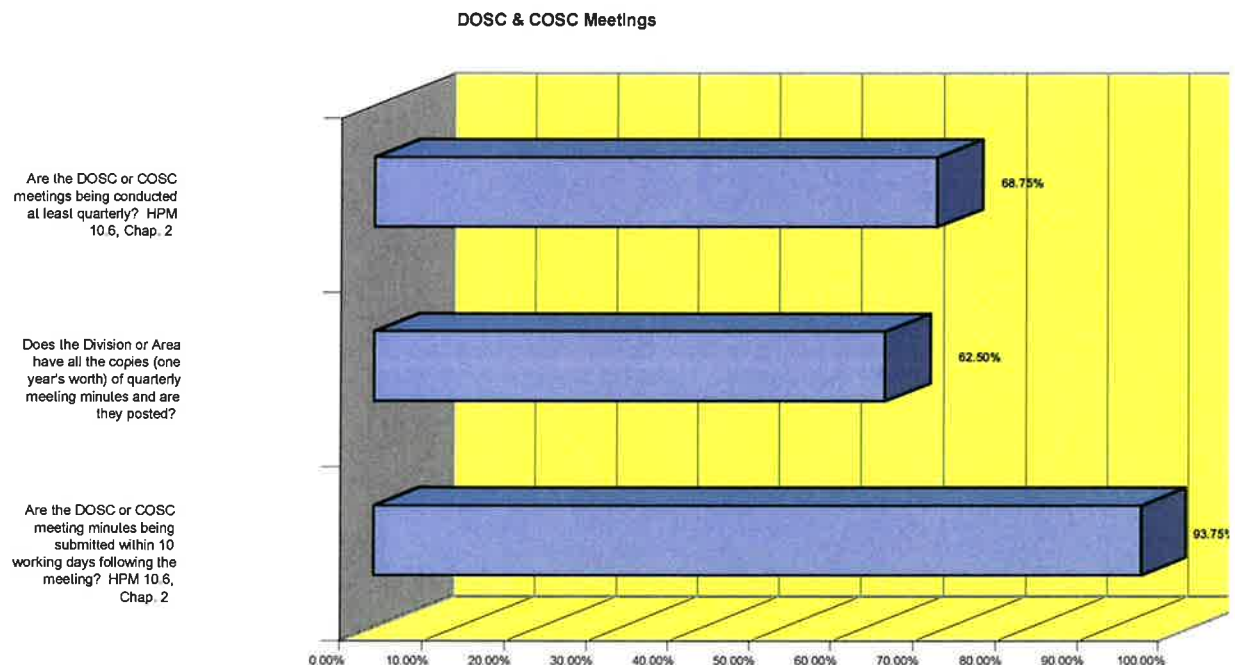
After a thorough and comprehensive study of CCR Title 8, Labor Code and other applicable laws, it is evident that HPM 10.6 fully complies with statutory obligations to provide and maintain a safe and healthy workplace for employees.

## **2. Policy Compliance**

### **a. Occupational Safety Committees**

Policy: HPM 10.6, Chapter 2 states: the Division Occupational Safety Committee (DOSC) and Command Occupational Safety Committee (COSC) shall meet at least quarterly upon notification by the chairperson. DOSC meeting minutes shall be prepared in accordance with GO 1.5 and distributed to the committee members, with a copy to both the appropriate Assistant Commissioner and the Occupational Safety Unit (OSU), within ten working days following the meeting. COSC meeting minutes shall be prepared in accordance with GO 1.5 and distributed to the committee members, with a copy to the respective DOSC or EOOSC within ten working days following the meeting. Action items shall be highlighted in the meeting minutes.

Findings: The evaluation team found 68.75 percent of the DOSC and COSC meetings were being conducted at least quarterly. Of the associated meeting minutes, 93.75 percent were submitted within ten working days following the meeting. Copies (one year's worth) of quarterly meeting minutes were available to examine for 62.5 percent of the Divisions and/or Area offices. Most Command Occupational Safety Coordinators were at the rank of supervisor.

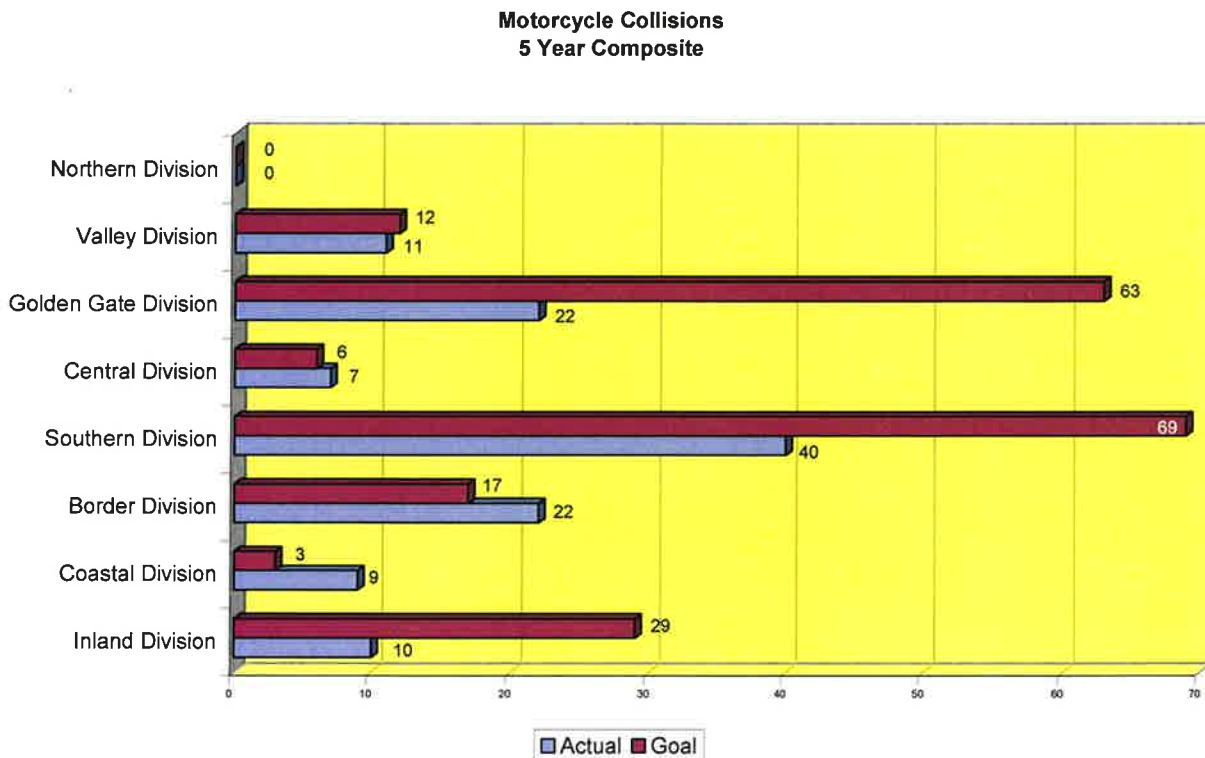


Recommendations:

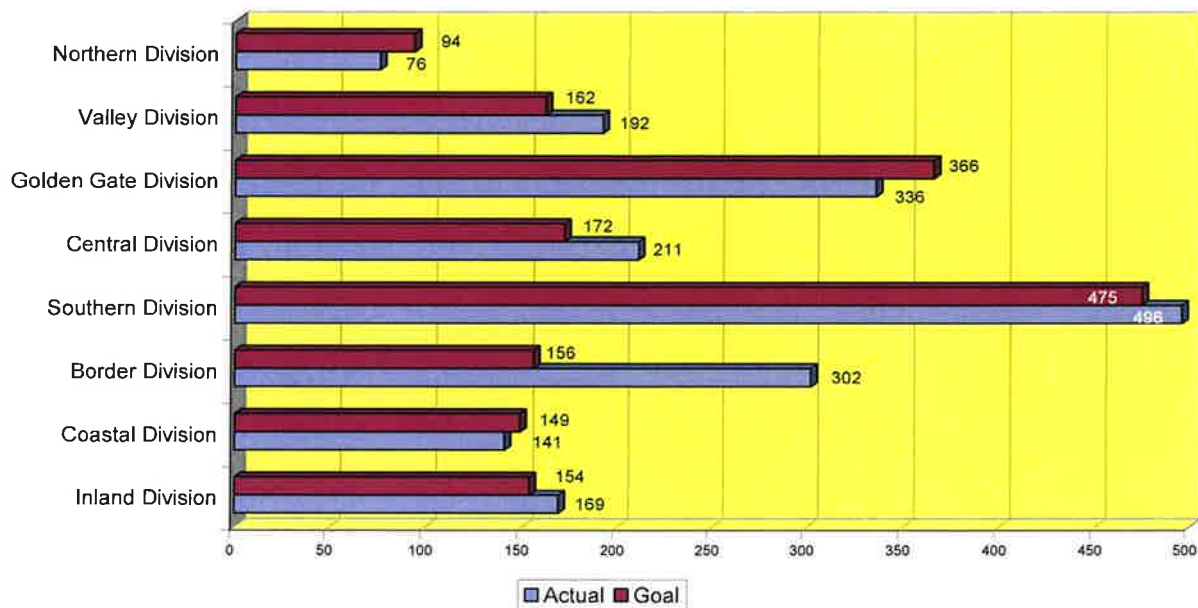
1. Amend policy to require a minimum one year assignment for the Occupational Safety Coordinator. Upon appointment, commander should present a memorandum of assignment, detailing expectations and responsibilities (Exhibit 1).
2. Amend policy to specify each Field Division administrative office have its own Occupational Safety Committee.
3. Amend policy to specify Command Occupational Safety Coordinators shall be at the rank of supervisor or above.

**b. Safety goals (five-year analysis of compliance in all tracked categories)**

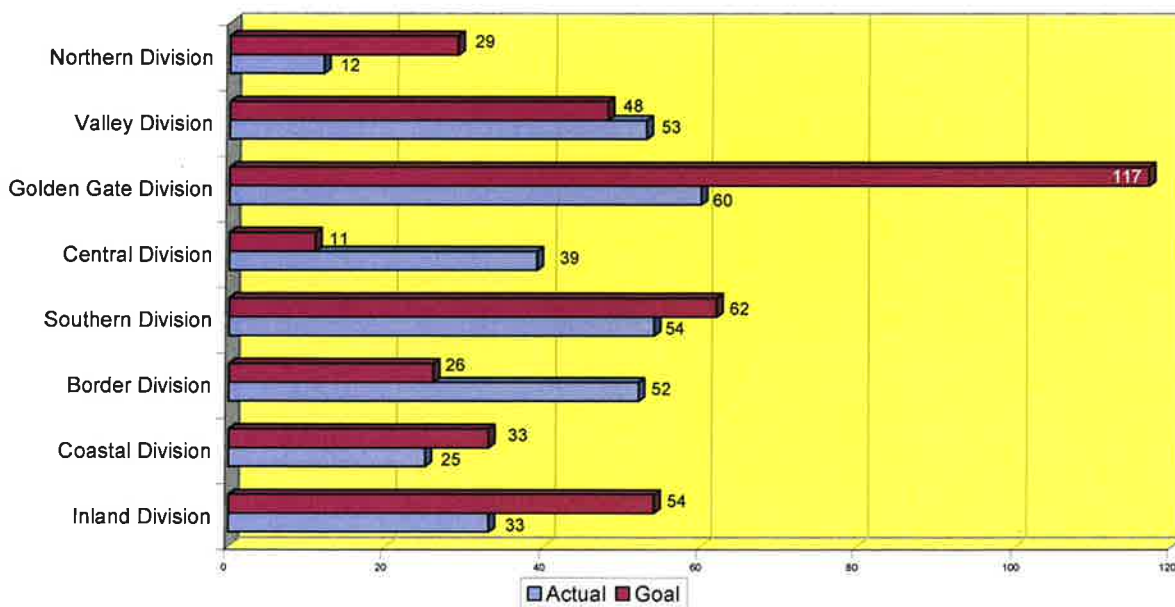
The evaluation team analyzed Field Division automobile/motorcycle collision and injury trends to determine a five-year history of compliance with established goals. Data was used for 2004 through 2008. The following graphs compare each Division's goal with actual results achieved for preventable motorcycle collisions, preventable automobile collisions and preventable injuries (Exhibit 2).



**Automobile Collisions  
5 Year Composite**



**Injuries  
5 Year Composite**





### c. Communication with DOSH

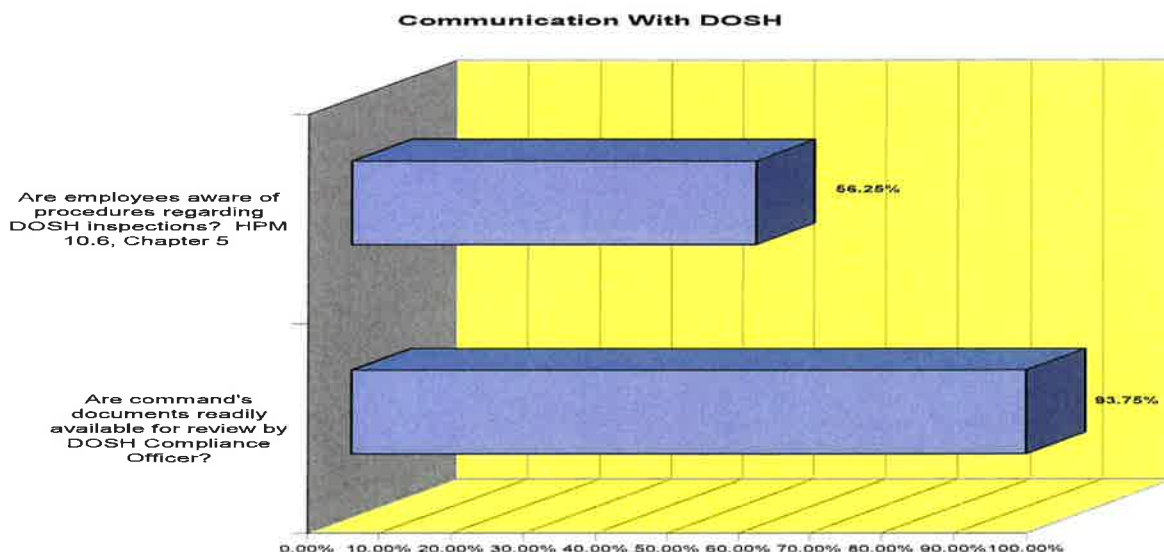
Policy: HPM 10.6, Chapter 5 states: The DOSH Compliance Officer may discuss other safety and health concerns with employees (who can decline or request that another employee participate in the interview), or their authorized representatives, in private, in accordance with California Labor Code, Section 6314(d). A DOSH Compliance Officer may conduct a site inspection in response to a complaint, a referral, accident inspection, and or a compliance inspection. The DOSH Compliance Officer will review the command's:

- Injury and Illness Prevention Program (IIPP)
- Safety training records (three years plus current)
- OSHA 300, Log and Summary of Occupational Injuries & Illnesses (five years plus current)
- Injury, illness, and exposure reports (CHP 121, Employer's Report of Occupational Injury or Illness, and CHP 121A, Supervisory Review of Occupational Injury, Illness, or Exposure) used for preparing the OSHA 300, Log (five years plus current)

The DOSH Compliance Officer may review the command's:

- Occupational safety committee meeting minutes
- Hazardous Substances Program, including the command's hazardous substance list and accompanying Material Safety Data Sheets
- Bloodborne Pathogen Exposure Control Program (HPM 70.2, Emergency Medical Services Manual, Chapter 11)
- Emergency Action Plan, including the Fire Prevention Plan

Findings: The evaluation team determined 93.75 percent of commands have their documents readily available for review by the DOSH Compliance Officer. Of the employees interviewed from each command, 56.25 percent were aware of procedures regarding DOSH inspections (knowledge of EAP and IIPP location and use; hazard reporting procedures). At the time of the evaluations, those employees unaware of DOSH procedures were advised of proper protocol.



Recommendations:

1. Commands ensure all employees are made aware of DOSH procedures (knowledge of EAP and IIPP location and use; hazard reporting procedures) upon initial employee orientation and during annual performance evaluation.
2. Disseminate the "User's Guide to Cal/OSHA" to all Command Occupational Safety Coordinators and reference this resource in HPM 10.6 (Exhibit 3).
3. Encourage all commands to utilize the Cal/OSHA Consultation Service (Exhibit 4). This is a free service, which offers the following benefits:
  - a. Help employers identify hazards in the workplace.
  - b. Suggest general approaches or options for solving health/safety problem.
  - c. Identify kinds of help for employers if further technical assistance is needed.
  - d. Provide employers with a written report, summarizing the findings.
  - e. Assist employers in establishing or improving workplace IIPP.
  - f. Assist with development of safety and health training programs.
  - g. Possible exemption from DOSH Compliance Inspection for one year, provided the facility has less than 250 employees.

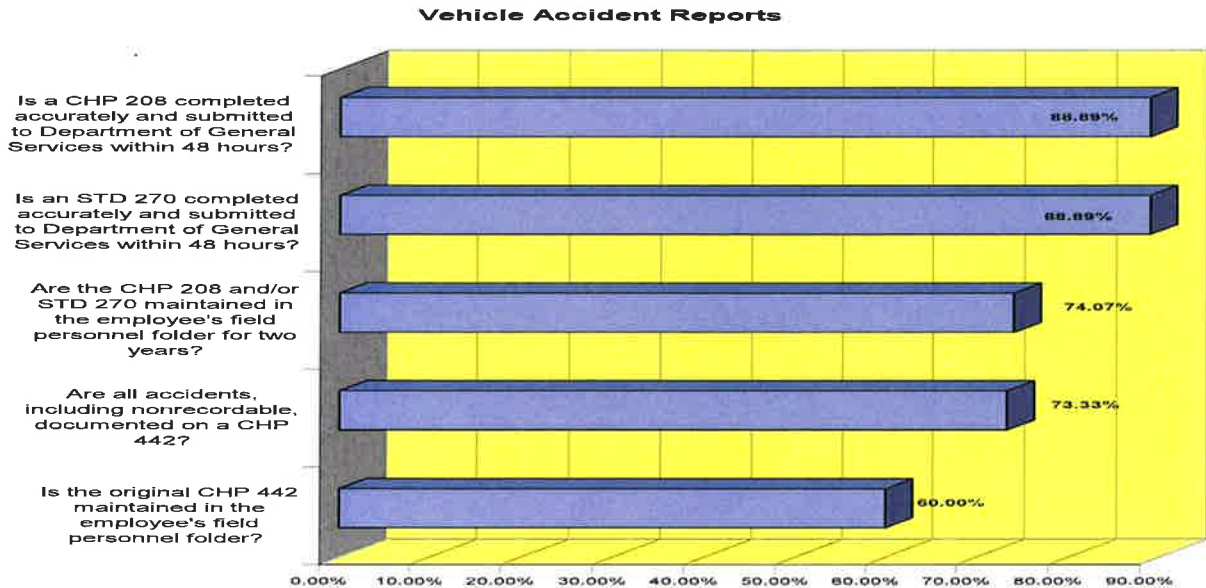
**d. Vehicle Accident Reporting**

Policy: HPM 11.1, Chapter 7 states: All motor vehicle accidents shall be reported within 48 hours to the Department of General Services (DGS), Office of Risk and Insurance Management, utilizing the STD 270, Report of Vehicle Accident. When additional investigation is required, a notation under Recommendations on the CHP 208 shall indicate that a supplemental report will follow. The CHP 208 and STD 270 shall not be delayed. A CHP 208 is not required when a STD 270 has been completed strictly for liability purposes for non-collision incidents.

Whenever an employee is involved in an accident requiring the submission of a CHP 208 or suffers an injury requiring the submission of a CHP 121 to the State Compensation Insurance Fund, the incident shall be recorded on the CHP 442, Individual Accident, Injury and Safety Recognition Record. The original CHP 442 shall be retained in the employee's field personnel folder.

HPM 10.6, Chapter 6 states: One entry for each accident, including non-recordable, shall be recorded on the CHP 442. Preventability shall be determined for recordable accidents only.

Findings: The evaluation team found 60 percent of commands maintained the original CHP 442 in the employee's field personnel folder; however, numerous commands maintained a separate CHP 442 binder in lieu of keeping them in personnel files. For collisions, 73.33 percent of non-recordable collisions were documented appropriately on the CHP 442. In Addition, 74.07 percent of the CHP 208 and/or STD 270 forms were maintained in the employee's field personnel folder for two years, as required. Command compliance for accuracy and submission of the STD 270 and CHP 208 forms within 48 hours to DGS, was 88.89 percent.



Recommendations:

1. Ensure commands maintain the CHP 442, CHP 270, and STD 208 in the individual personnel file, as required. Although some commands maintain separate injury files and/or binders for ease of access, this practice presents the following pros and cons:
  - a. Pros
    - i. Centralized location for injury and illness documentation.
    - ii. Ease of review and access for safety award evaluation.
  - b. Cons
    - i. Inconsistent with policy.
    - ii. Potential for misplacement of files.
    - iii. Failure to forward the separate files upon employee transfer.

**e. Injury and Illness Prevention Program (IIPP)**

Policy: HPM 10.6, Chapter 4 states: In accordance with Labor Code Section 6401.7 and California Code of Regulations, Title 8, General Industry Safety Order 3202, every California employer shall establish, implement, and maintain an effective written IIPP to focus on preventing work-related injuries and illnesses to employees.

The IIPP requires initial safety orientation for all employees and new hires. Policy requires documentation of safety training, including initial IIPP orientation, be maintained on the CHP 712A, Injury and Illness Prevention Program Orientation and Review.

IIPP, Chapter 3 states: Commanders shall ensure that the Command Safety Coordinator establishes and maintains a Command IIPP which shall be kept in a central location. The following, at a minimum, shall be included in the Command IIPP document:

- Roster containing the name of the Command Occupational Safety Coordinator and the Occupational Safety Committee members
- Occupational Safety Goals and Objectives
- Notice to State Employees (new form being used is the e13708 form)
- Employee Protection Program (CHP 715)
- Command-Specific hazards

The California Labor Code, the State Administrative Manual, and Cal-OSHA regulations require prominent display of the following posters at each work location:

- Safety and Health Protection on the Job
- S-11, Access to Medical and Exposure Records
- OSHA 300, Log and Summary of Occupational Injuries and Illnesses
- e13708, Notice to State Employees

HPM 50.1, Chapter 5 states: Commanders shall establish a process for annual review of the Emergency Action Plan by each employee and shall be documented on the CHP 712, Employee Emergency Action Plan Review. All employees are responsible for adhering to the policies and procedures contained in the EAP, and health and safety standards as directed by CHP management. Section 3.09, Title 19, CCR, states that operators of all office buildings, two or more stories in height, shall provide emergency procedure information to all occupants.



Example of centrally located binders mounted on wall in main hallway (EAP, IIPP, MSDS).

Findings: The evaluation team determined 62.5 percent of commands had an up-to-date, written IIPP, and 93.75 percent of commands maintained their IIPP in a central location, accessible to all employees. In addition, 65.63 percent of command IIPP's had a current roster of the COSC Coordinator and members, occupational safety goals and objectives, Notice to Employees, Employee Protection Program and command-specific hazards.

All required occupational safety related postings were found prominently displayed for employee review in 81.25 percent of commands. In some instances, occupational safety posters were posted on the board, thereby obscuring some of the required postings (such as, e13708, S-11, CHP 715, etc.).

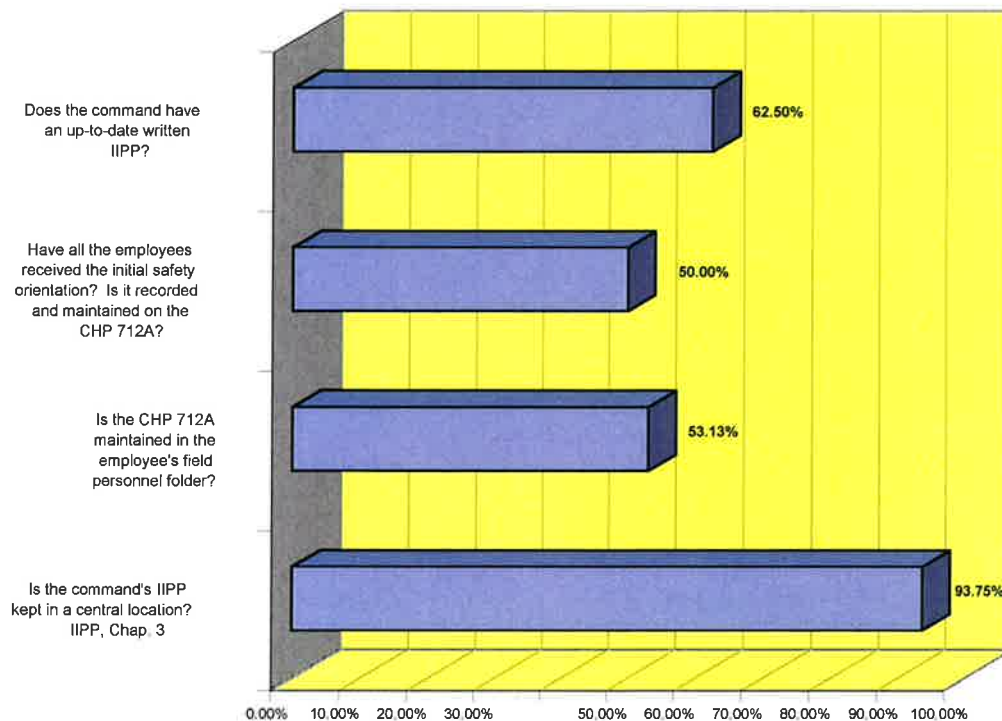


It was determined 50 percent of employees, including new hires, received initial safety orientation and it was properly recorded on a CHP 712A, Injury and Illness Prevention Program Orientation and Review. Of the sampling of CHP 712A's examined, 53.13 percent were current and maintained in the employee's field personnel folder. Non-uniformed employees frequently did not have a current CHP 712A or 712 in their personnel file.

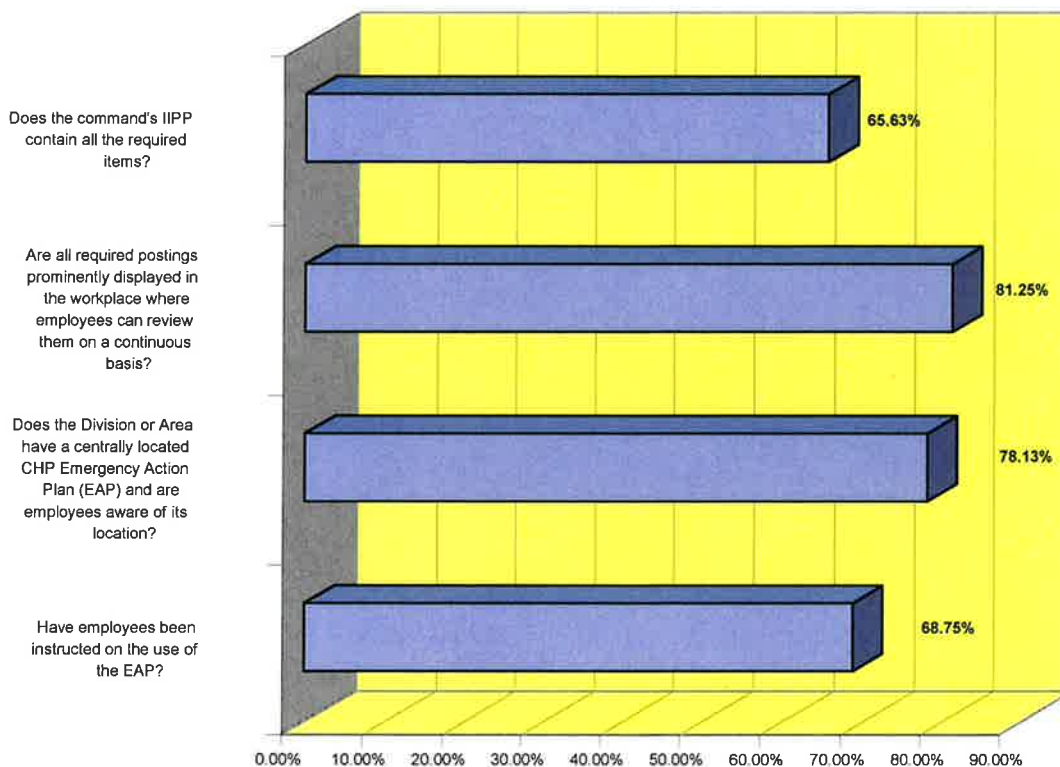
Centrally located Emergency Action Plan's (EAP) were found in 78.13 percent of Divisions and/or Areas; and 68.75 percent of employees had been instructed on the use of the EAP. Some command EAP's were vague, the binders were not organized, and/or they were not current. In comparison, some commands had EAP's with in-depth instructions, including photos and diagrams, the binders were indexed and organized, and/or included current rosters and emergency contact information (Exhibit 5).



**Injury and Illness Prevention Program**



**Injury and Illness (Cont.)**



Recommendations:

1. Ensure CHP 712A and CHP 712 are signed by all employees during their annual performance appraisal.
2. Modify the CHP 712A to include a signature and date box for subsequent annual review.
3. Incorporate Cal/OSHA, IIPP and EAP review into command training days.
4. Occupational Safety Boards should be limited to the required documents and postings.
5. Occupational Safety posters (distributed annually by Departmental Occupational Safety Board) should be strategically placed throughout the facility and rotated on a regular basis to garner employee attention.



Poster displayed on main exit door.

**f. Hazardous Substances Program**

Policy: HPM 10.6, Chapter 7 states: Commands shall identify and post a list of the hazardous substances routinely used in the workplace. Consumer products packaged for public use (standard containers of cleansers, bleaches, etc.) are excluded as are pesticides, hazardous wastes (regulated by Environmental Protection Agency), food, drugs, and cosmetics used by employees.

Commanders shall provide employees, including newly-assigned personnel, with information from the Material Safety Data Sheet (MSDS) about substances routinely used in the workplace to which they may be exposed.

September 1, 2009

Labels on containers must identify the hazardous substance(s), provide hazard warning statements, and show the name and address of the manufacturer. If hazardous substances are transferred from original containers to portable or stationary containers, the secondary containers must be labeled as stated above.

Commanders shall provide employees with specific information about substances used in the workplace if those substances appear on the Department of Industrial Relations, Director's List of Hazardous Substances in General Industry Safety Order 339 (For the Director's List of Hazardous Substances, use the following link: <http://www.dir.ca.gov/title8/339.html>). Warning signs shall be posted accordingly.



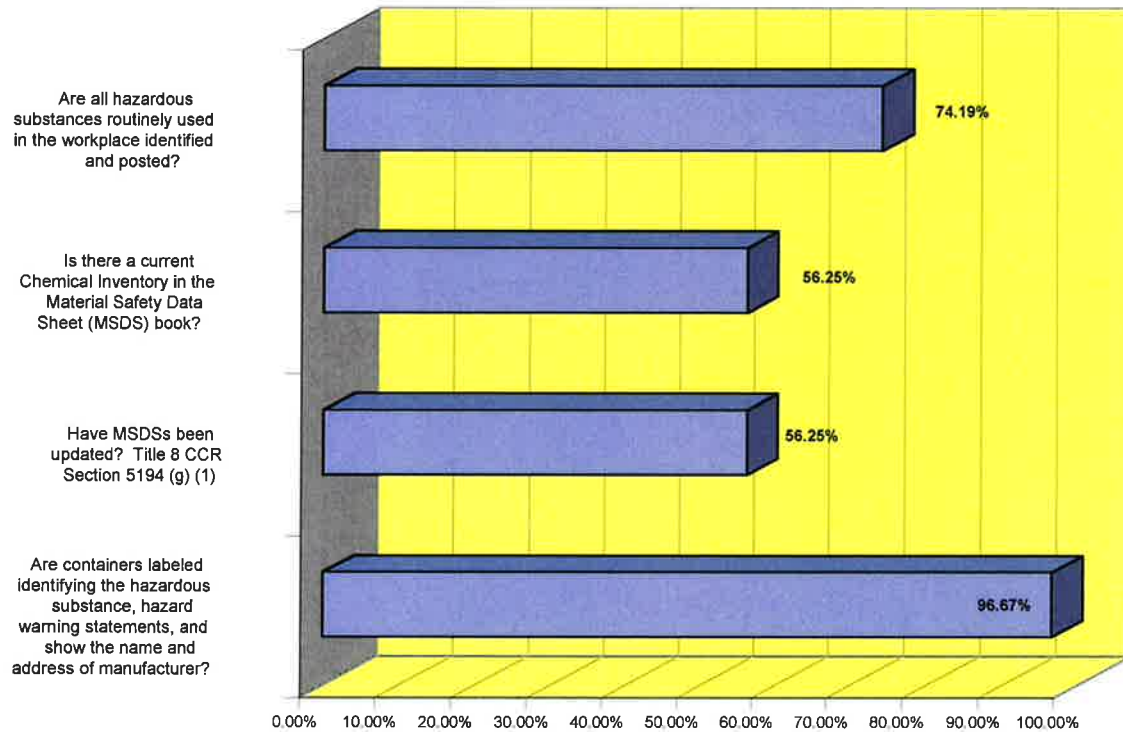
Hazardous materials warning sign clearly posted.

Findings: The evaluation team found 56.25 percent of commands had an up-to-date Material Safety Data Sheet (MSDS) binder, with a current chemical inventory, and employees had been instructed on its use. Similar to the EAP binders, MSDS binders were often not well organized, outdated, and employees were generally unfamiliar with how to review an MSDS.

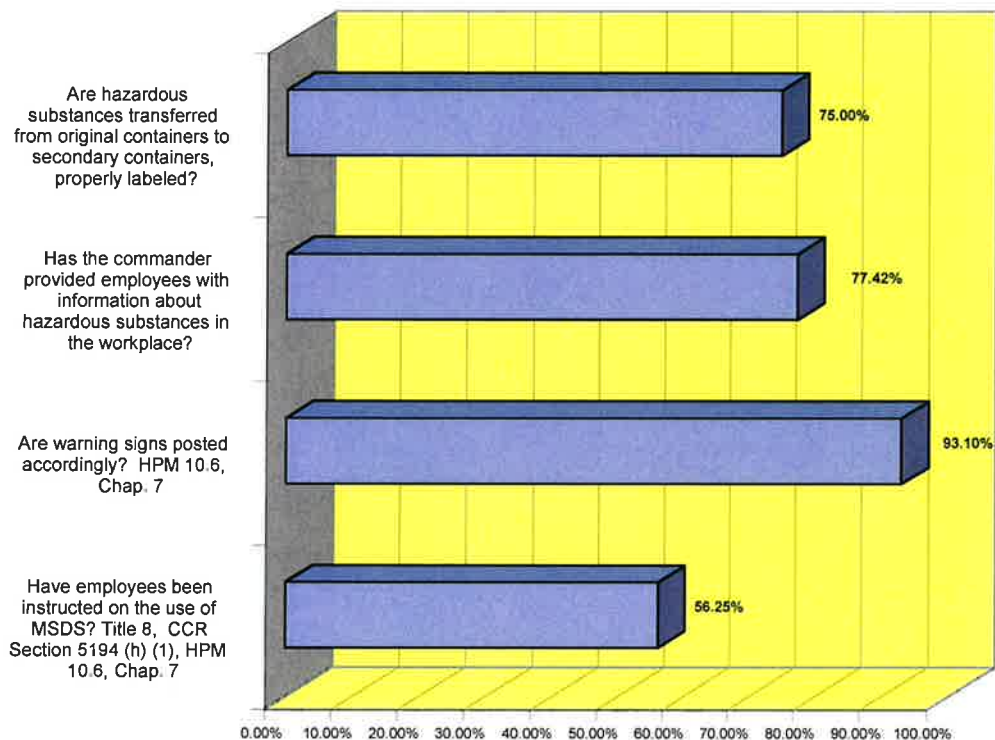
Containers were appropriately labeled, identifying the hazardous substance in 96.67 percent of commands. A CHP 189, listing all hazardous substances that are routinely used in the workplace, was completed by 74.19 percent of commands. Specific information about substances used in the workplace was available to employees at 77.42 percent of commands. Hazardous substance warning signs were posted accordingly at 93.1 percent of commands. Hazardous substances transferred to a separate container were appropriately labeled at 75 percent of the commands.



**Hazardous Substances**



**Hazardous Substances Program (Cont')**



Recommendations:

1. The Occupational Safety Unit should develop a MSDS "How to Use" Guide, as modeled from Southern Division's MSDS binder, for incorporation into each command's MSDS binder (Exhibit 6A).
2. Encourage commands to include a Table of Contents, Index, and section tabs for ease of use (Exhibit 6).
3. Encourage commands to update MSDS's, utilizing the internet. This can be accomplished simply by a product name search, followed by "MSDS." For example, for diesel fuel, enter "diesel MSDS." This information may be disseminated to Command Occupational Safety Coordinators during the recommended annual training class.
4. Amend policy to require commands have a current and comprehensive CHP 189 posted on the command Occupational Safety Board, as well as contained in the MSDS binder.

**g. Defensive Driver Training**

Policy: HPM 10.6, Chapter 8 states: Commanders shall conduct a pre-assessment of driving ability for any employee who will frequently be required to drive a state or private vehicle on official business.

A STD 261, Authorization to Use Privately Owned Vehicles on State Business form, shall be completed for all employees who elect to drive a privately owned vehicle on official business.

All employees who frequently (once a month or more) are required to drive on official business shall be trained in defensive driving techniques in accordance with State Administrative Manual, Section 0751.

Uniformed employees will receive a minimum of one hour per year of defensive driver training. The annual behind-the-wheel review of driving practices will be conducted by a supervisor.

Non-uniformed employees who frequently drive on official business will receive between 30 minutes and one hour of commentary driver training from a qualified supervisor using the training guide outlined in HPM 10.6, Annex 8-B.

Non-uniformed employees who frequently drive on official business shall be scheduled to attend the Defensive Driver Training-Classroom course conducted by DGS/ORIM every four years.

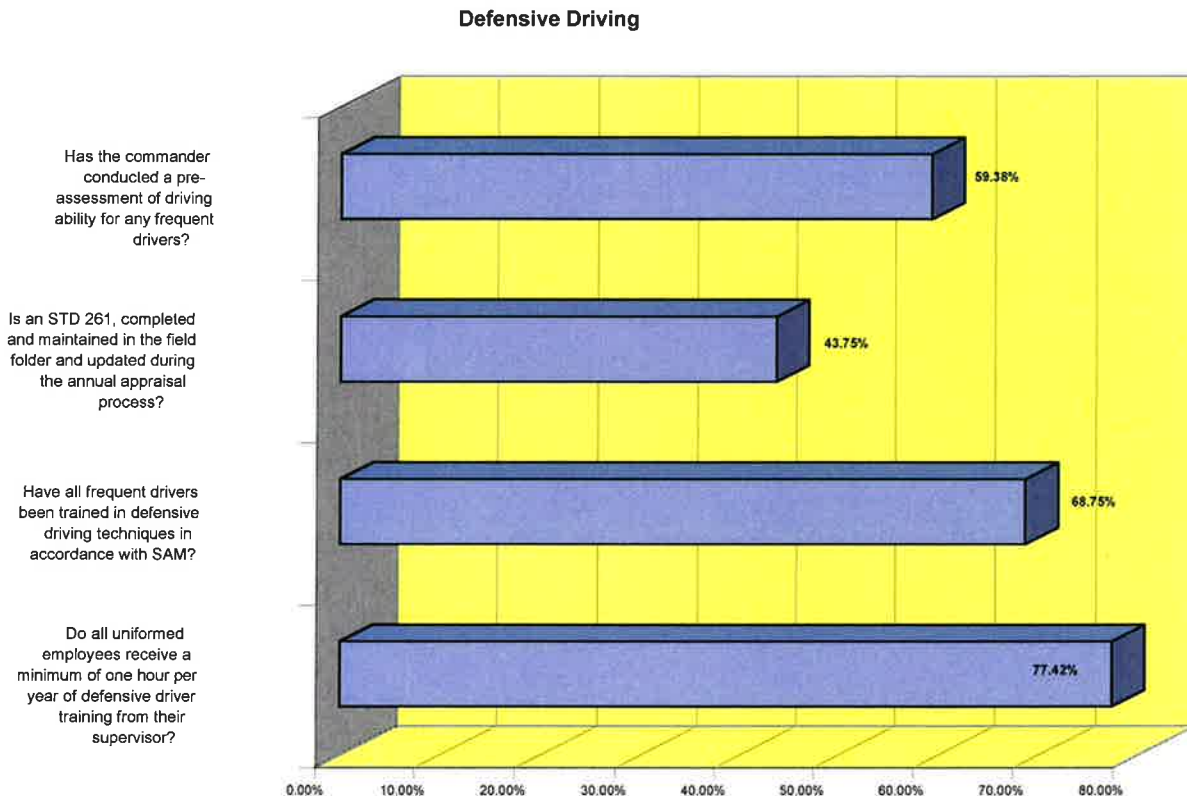
The Command Training Coordinator shall ensure completion of the Defensive Driver Training-Classroom course, for non-uniformed personnel, is documented in the Employee Training Records System (ETRS).

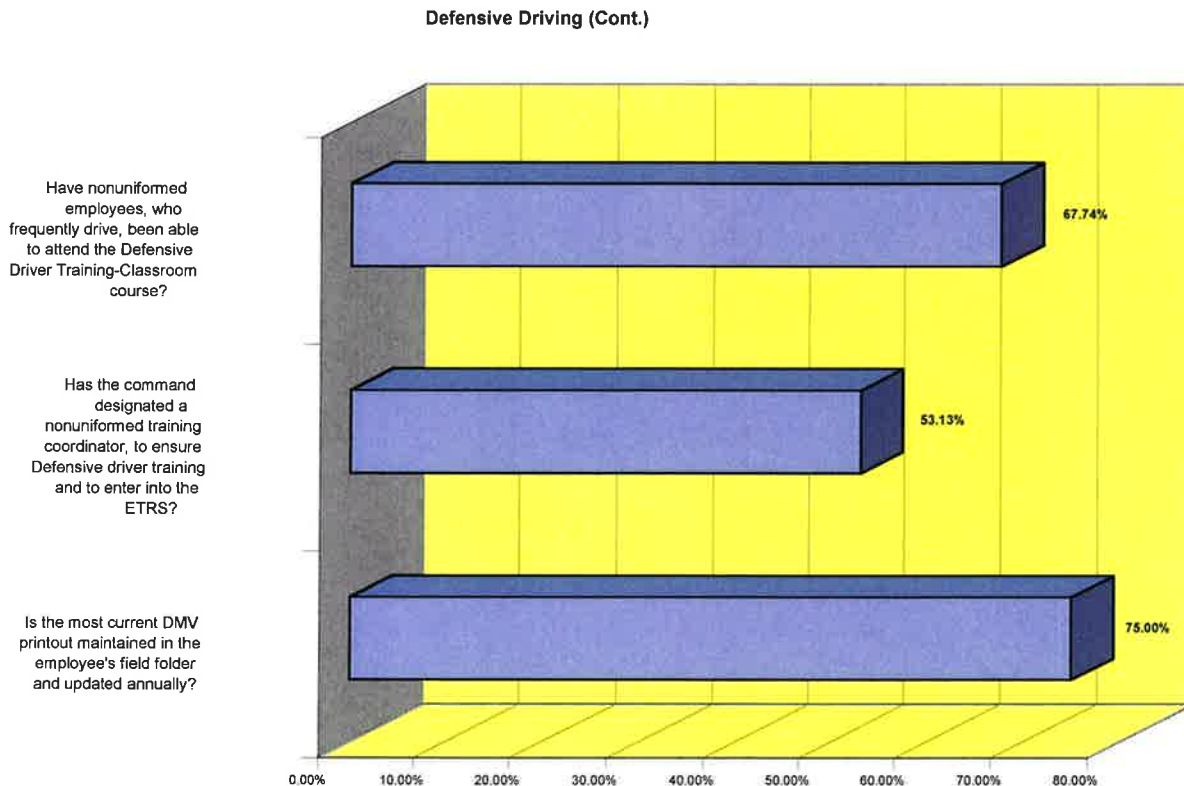
The most current response from DMV regarding an employee's driver license shall be maintained in the employee's field folder and updated annually.

**Findings:** The evaluation team found 77.42 percent of all uniformed employees receive a minimum of one hour per year of defensive driver training from their supervisor. In addition, 68.75 percent of all frequent drivers had been trained in defensive driving techniques. Defensive Driver Training, conducted by DGS/ORIM, was provided to 67.74 percent of non-uniformed employees, within the past four years. The training was documented in ETRS for 53.13 percent of the records examined. This training is only applicable to those employees who frequently drive on official business.

Command pre-assessment of driving ability was conducted for 59.38 percent of the examined frequent drivers. During the evaluations, it was noted the majority of Training Coordinators did not have access to non-uniformed personnel ETRS records, nor were ETRS entries made for training received by non-uniformed personnel.

The STD 261 form, Authorization to Use Privately Owned Vehicles on State Business, was examined for required employees. Complete and updated forms were found in 43.75 percent of the personnel files examined. However, it should be noted, all personnel files examined during this evaluation were frequent drivers and uniformed employees; therefore, the ideal compliance in this category should be 100 percent. Current driver license status for applicable employees was confirmed in 75 percent of employee personnel folders.





**Recommendations:**

1. Command Training Coordinators should receive access to non-uniformed employee training records. These records should be entered into the command's ETRS and training updated as received.

**h. Facilities and Equipment**

**Policy:** HPM 10.6, Chapter 3 states: Commanders shall schedule semi-annual safety inspections of departmental facilities. The COSC members are to conduct safety inspections designed to reveal compliance or noncompliance with safe work practices and healthy work conditions. Special attention should be given to conditions which need immediate remedial action. Safety inspections, and any discrepancies identified, shall be documented on the CHP 113A, Safety Inspection Checklist.

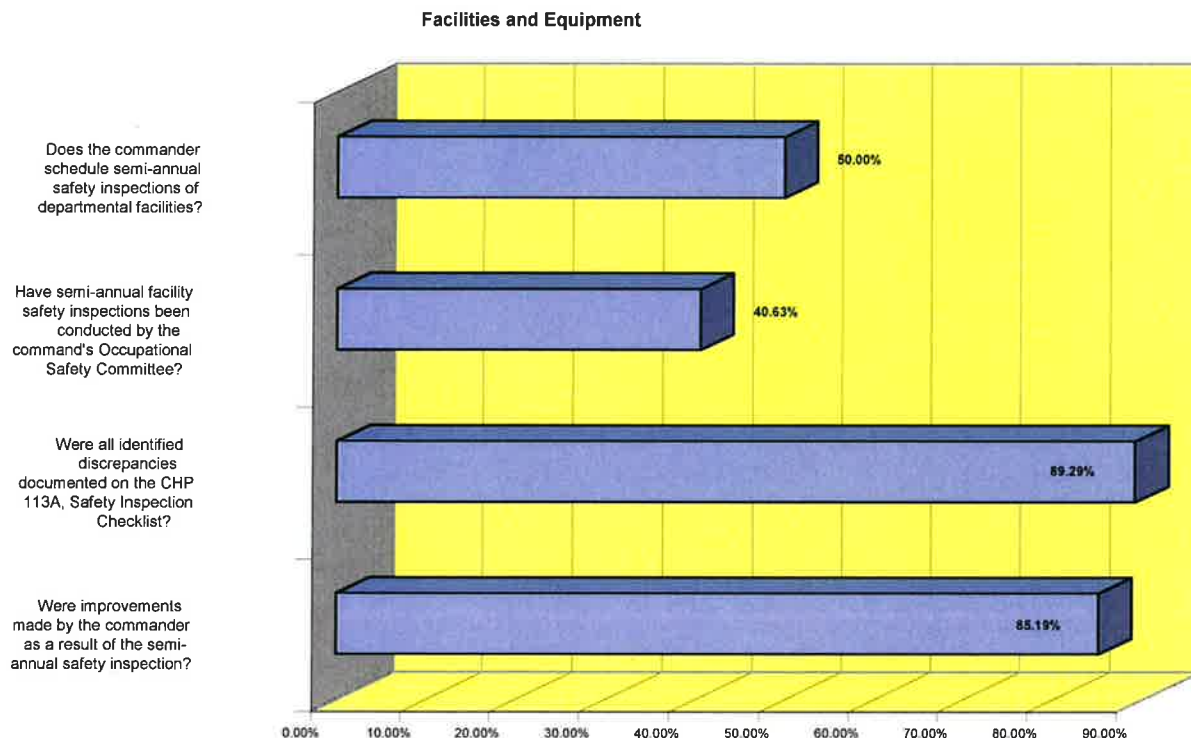
IIPP, Chapter 5 states: The IIPP was designed to encourage employees to report unsafe work practices and unhealthy work conditions whenever they become aware of potentially dangerous situations in the workplace, without fear of reprisal. Employees are encouraged to report safety and health hazards on the Hazard Report/Inspection, CHP 113B.

The findings of any inspection/investigation conducted as a result of an employee's report of a safety or health hazard shall be disseminated to all personnel potentially affected by the hazard,

as well as to the reporting individual and posted on the Command's Occupational Safety Bulletin Board. Facility and Hazard Report Inspections are to be documented on the CHP 113A and CHP 113B, respectively, and the original shall be maintained for the current year plus three years.

**Findings:** The evaluation team determined semi-annual facility safety inspections were conducted by the command's Occupational Safety Committee at 40.63 percent of the commands. The commander had scheduled semi-annual safety inspections of the facility at 50 percent of the commands. It should be noted that many commands were conducting one facility inspection per year, however, policy requires semi-annual inspections. All identified discrepancies were documented on a CHP 113A, Safety Inspection Checklist, for 89.29 percent of commands. Subsequent improvements, as a result of the inspection, were made by 85.19 percent of commands.

The facility and hazard report inspections were documented on the CHP 113A and CHP 113B and maintained (current year, plus three years) as required for 50 percent of the commands. Employees are encouraged to report safety and health hazards using the Hazard Report/Inspection, CHP 113B, at 62.50 percent of commands; however, most all employees advised they would immediately notify a supervisor upon discovering a health and/or safety issue. All findings of any health or safety hazard inspection/investigation, conducted as a result of an employee's report, were disseminated to potentially affected personnel and the reporting individual for 73.33 percent of commands.



Recommendations:

1. Post blank CHP 113B's on the Occupational Safety Board for ease of employee access and awareness.
2. Discuss hazard reporting procedures during Area training days and/or Annual Performance Appraisal review of the IIPP.

**How can we improve the Department's level of accountability to policy?**

Amend policy to require an annual self-inspection by the Command Occupational Safety Coordinator utilizing the checklist (CHP 453M) contained in HPG 22.1, Chapter 12.

**Which areas of the Department's occupational safety policy represent the highest risk to employees?**

It was overwhelmingly found the highest risk to employees involved vehicle operations and employee roadside safety. This risk assessment was established by the significant number of employees injured or killed as the result of a traffic collision, or while standing outside of their vehicle, as compared to other means of injuries.

**How do we measure the success of occupational safety policy and practices?**

Periodic, comprehensive command audits should be conducted. The command audit should include employee interviews regarding occupational safety program knowledge. Commands should utilize the Cal/OSHA Consultation Service, previously discussed, in order to obtain feedback and compliance information (Exhibit 4).

**Is the current method of establishing goals realistic?**

Recently, a new system for establishing annual accident, injury and illness goals was implemented. Under the new method, each command is given a goal of reducing accidents, injuries and illnesses by 5 percent, based on the command's previous three-year average. As the success of this new method will be determined over a period of years, no recommendations are made this time.

**What additional training is necessary to ensure compliance with policy and an overall focus on safe work practices?**

The evaluation team strongly believes there should be training provided to Command Occupational Safety Coordinators (COSC's). This can be accomplished through a train-the-trainer concept at the Headquarters level, after which each Division would provide its own COSC training. The training should include, at a minimum: required postings on the command's Occupational Safety Board, how to conduct self-evaluations utilizing the 453M, Occupational Safety record keeping, IIPP and EAP updates. This training will help ensure



policy compliance with accurate record keeping and facility safety; as well as employee awareness of IIPP and EAP procedures. As indicated previously, a one year minimum term as a Command Occupational Safety Coordinator should be required due to the amount of time invested in coordinator training and to ensure program stability.

**Which current policies and practices are the most effective in achieving safety (what are we doing right)?**

The Department's customary use of Occupational Safety posters is an effective and convenient tool for promoting work safety. The posters are easy to disseminate, require minimal effort to post and the cost is nominal. Additional effective practices include the daily review of written SROVT's, viewing of SROVT Training Videos and conducting supervisory ride-alongs. The evaluation determined that Occupational Safety Documents were readily accessible for the DOSH Compliance Officer in most cases, and Command Facility Inspection discrepancies, when identified, were documented appropriately on the CHP 113A. The majority of commands maintained their IIPP's and EAP's in a central location and most employees were aware of the location. Additionally, most commands utilize a red binder for the EAP. Such consistency assists the employee with immediate recognition of the binder.

**Best Practices**

The evaluation team assessed occupational safety policies for two law enforcement agencies, as well as two private industry organizations. Los Angeles Police Department (LAPD) and Los Angeles County Sheriff's Department (LASD) were selected. In addition, ABF Freight System, Inc., and Disneyland Resort were selected as the private organizations. Detailed memoranda of each of the aforementioned occupational safety evaluations are attached. The following best practices were identified for comparative purposes:

**Private Industry**

- ABF Freight System (Exhibit 7)
  - Point System utilized to track preventable collisions and assess supplemental training needs.
  - Comprehensive data-base, linking training records, employee work history, injury and collision history, OSHA requirements, MSDS information, and awards.
  - Automated e-mails are generated, via the aforementioned database. Emails are sent to managers for notification of injuries, collisions, past due training, etc.
  - On-line video training for employees, which may be completed at any time during the employee's shift.
  - A Monthly Safety Meeting Program agenda, developed in advance, incorporating recent occupational safety issues.
  - Company philosophy: Injuries and accidents are against company policy and traffic collisions should never be acceptable as the cost of doing business.

- Disneyland Resort (Exhibit 8)
  - 24/7 “Safety Line,” utilized to report unsafe working conditions, hazards, and/or emergency situations.
  - “Safety Topic of the Month” posted on training board.
  - In-house television monitors broadcast safety messages and training videos during business hours.
  - “Safety in Motion” program focusing on injury prevention through ergonomic equipment and in-house training on proper stretching/lifting techniques.
  - Safety awards are only provided for innovative occupational safety ideas or the identification of workplace hazards.
  - Company philosophy: An injury free work place is expected of all employees.

#### **Allied Agencies**

- Los Angeles County Sheriff’s Department (LASD) (Exhibit 9)
  - Point System to track preventable collisions and assess supplemental training needs.
  - Command Safety Officer attends annual mandated Occupational Safety Training.
  - Safety web site with a Safety Bulletin link.
- Los Angeles Police Department (LAPD) (Exhibit 10)
  - Point System to track preventable collisions and assess supplemental training needs.
  - Safety web site maintained by City of Los Angeles Department of Personnel, Occupational Safety and Health Division.
  - Zero tolerance policy for workplace violence.

#### **California Highway Patrol**

- East Los Angeles Area’s “Memorandum of Assignment,” detailing expectations and responsibilities of the Occupational Safety Coordinator (Exhibit 1).
- East Los Angeles Area’s “User Guide to Cal/OSHA” and “Cal/OSHA Consultation” reference material (Exhibits 3 and 4).
- Northern Division’s- Comprehensive Evacuation Plan, which includes facility photographs and detailed instructions on how to shut off electricity, gas valves, and water main (Exhibit 5).
- Southern Divisions MSDS Binder, which contained a Table of Contents, “How to Use” Guide,” Glossary of MSDS Terms and Definitions, and Categorized Inventory List of Chemicals (Exhibits 6, 6A, 6B, 6C and 6D).



- King City Area's "Cal/OSHA Inspections – IIPP Awareness" Memorandum, which provides IIPP Program overview and employee requirements; "Evacuation Drill – Evaluation" Memorandum; and tabletop exercises (Exhibit 11).
- Riverside Area's MSDS User Reference Guide (Exhibit 12).
- San Jose Area's "Drive Safe Team" Meeting, with a list of Team Leaders who meet on a monthly basis to discuss driving issues (Exhibit 13).

### **Safety Recommendations**

The evaluation team was tasked with analyzing the list of safety recommendations compiled as a result of a series of CHP line-of-duty deaths. The team thoroughly examined each issue and determined all issues had been addressed in one of the following ways:

- |                        |   |
|------------------------|---|
| • A (accomplished)     | Recommendation will either be implemented, is already implemented or is addressed by policy, training or law. |
| • BU (bargaining unit) | Recommendation deals with bargaining unit concerns.   |
| • C (comment)          | Recommendation is a comment, not a recommendation.  |
| • IP (in progress)     | Recommendation is in the process of being implemented or evaluated.   |
| • NF (not feasible)    | Recommendation was determined to be not feasible to implement.  |

The categorized safety recommendations list is attached (Exhibits 14 and 14A).

**Recommendation:** The evaluation determined that all of the safety recommendations have been reviewed, consolidated, acted upon or addressed, and no new action is required or necessary on any of the listed items. It is therefore recommended this matter be referred to the Department Occupational Safety Board for a decision whether to adapt the evaluation team's proposal to remove the safety recommendations list from the Department's Intranet.

### **Line-of-Duty Death Database**

The evaluation team developed a prototype searchable database intended to preserve records of the 66 CHP officers killed in the line-of-duty over the previous 30 years, and into the future. A 28-page questionnaire was used, based upon information gathered by the Federal Bureau of Investigation (FBI) in two categories: Feloniously Killed and Accidentally Killed. Of the 66 LODD's identified, only 20 reports were accessible to the evaluation team. Most of the information needed to complete the questionnaire can be found in either the Shooting Investigation Report or the MAIT Report. Further research showed that Personnel Services Section does not maintain the aforementioned reports in the deceased officers' personnel files. One complete record has been entered into the prototype database to illustrate the format (Exhibit 15).

**Recommendation:** The definitive database for this application must ultimately be created using Information Management Division (IMD) approved software. It is therefore recommended the database project be turned over to IMD for conversion to an appropriate searchable database program which would be available on the intranet. Once the database is created, it is recommended that Disability and Retirement Unit (DRU) be responsible for gathering information on new entries and providing updates to data as it becomes available.

### **Occupational Safety Web Page**

The evaluation team explored the feasibility of creating an occupational safety web page, with an interactive BLOG, similar to the National Fire Fighter Near-Miss Reporting System ([www.firefighternearmiss.com](http://www.firefighternearmiss.com)) (Exhibit 16). This fire fighter web page contains resource links, including, but not limited to: Videos and Photos, Near-Miss Trainers, Sample Policies and Training Tools, Report of the Week Activities, Near-Miss Award, and Crew Resource Management (Exhibit 16-A). A user may select specific videos and photos from a title list, which gives a brief synopsis of the event and the file size (Exhibit 16-B). An additional training tool is the "Report of the Week," which describes a specific incident and the lessons learned. Included in every "Report of the Week" are the following headers/information: Report Date, Synopsis, Demographics, Event Information, Event Description, Lessons Learned, Discussion Questions, and links to Related Reports (Exhibit 16-C).

**Recommendation:** During evaluation interviews, the web page concept was discussed with commanders, supervisors and other employees throughout the State. Based upon the feedback, interview with Mr. Graham (author of the original firefighter web page), and a review of the web page, the evaluation team concluded the amount of resources required to develop, monitor and maintain the web page would likely not be cost effective. While the web page might be a useful tool, the most likely effective method for occupational safety "lessons learned" is a briefing-style format, such as SROVT's. For uniformed employees assigned to the field, limited time is spent on the department's intranet and allocation of such time would detract from field duties. Additionally, there is no departmental policy in place which requires employees to review email or access the intranet.

# **EXHIBIT 1**

**M e m o r a n d u m**

Date: July 25, 2005

To: Sergeant Kevin Porter, #12765

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
East Los Angeles Area


File No.: 535.11487.9358

---

Subject: PMA SERGEANT ASSIGNMENT

Effective August 1, 2005, you have been assigned as the East Los Angeles Area, Physical Methods of Arrest Sergeant. You will be totally responsible for the oversight of the Area's PMA program. This will include all required reports, audits and monthly checks specified in HPM 70.6, Officer Safety Manual. Due to the importance of this program, no aspect of the implementation or oversight will be delegated to any officer.

Your assignment to this position is based on your experience, knowledge and ability to see an assignment through to completion. Should you encounter any issue that the Area will not be in compliance with departmental policy, you will immediately notify your supervisor. Congratulations on your assignment and good luck in the future.

  
W. G. SIEGL, Captain  
Commander

*Handwritten initials/signature*

*Safety, Service, and Security*

## **EXHIBIT 2**

## Injury and Collision 5 Yr. Trend

DIVISION		2004		2005			2006			2007			2008		
		GOAL	ACTUAL	GOAL	ACTUAL	% CHNG	GOAL	ACTUAL	% CHNG	GOAL	ACTUAL	% CHNG	GOAL	ACTUAL	% CHNG
101	Automobile	19	16	19	13	-19%	19	19	46%	19	12	-37%	18	16	33%
	Motorcycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Injuries	7	2	1	4	100%	8	2	-50%	6	2	0%	7	2	0%
201	Automobile	31	39	33	28	-28%	33	42	50%	32	46	10%	33	37	-20%
	Motorcycle	2	3	2	3	0%	2	2	-33%	2	3	50%	4	0	-100%
	Injuries	8	17	10	6	-65%	10	8	33%	10	13	63%	10	6	-54%
301	Automobile	71	84	75	50	-40%	73	62	24%	76	65	5%	71	75	15%
	Motorcycle	11	7	13	4	-43%	13	7	75%	13	2	-71%	13	2	0%
	Injuries	25	9	25	9	0%	26	13	44%	15	15	15%	26	14	-7%
401	Automobile	40	46	40	36	-22%	32	35	-3%	32	47	34%	28	47	0%
	Motorcycle	1	2	1	1	-50%	1	2	100%	1	2	0%	2	0	-100%
	Injuries	5	7	0	8	14%	0	10	25%	0	9	-10%	6	5	-44%
501	Automobile	95	113	95	101	-11%	95	72	-29%	95	106	47%	95	104	-2%
	Motorcycle	15	11	15	10	-9%	13	9	-9%	13	5	-44%	13	5	0%
	Injuries	13	12	13	11	-8%	12	11	0%	12	17	55%	12	8	-53%
601	Automobile	52	64	50	68	6%	54	65	-4%	0	48	-26%	0	57	19%
	Motorcycle	5	5	5	6	20%	7	5	-17%	0	3	-40%	0	3	0%
	Injuries	10	19	8	11	-42%	8	9	-18%	0	7	-22%	0	9	29%
701	Automobile	29	41	33	27	-34%	29	27	0%	30	18	-33%	28	28	56%
	Motorcycle	0	1	0	2	100%	0	1	-50%	2	3	200%	1	2	-33%
	Injuries	8	3	8	6	100%	3	1	-83%	6	10	900%	8	5	-50%
801	Automobile	32	28	32	29	4%	30	35	21%	30	33	-6%	30	44	33%
	Motorcycle	6	4	6	4	0%	6	1	-75%	6	1	0%	5	0	-100%
	Injuries	11	9	11	11	22%	11	6	-45%	11	3	-50%	10	5	67%
Exec	Automobile	0	0	0	0	0%	0	1	100%	0	0	-100%	0	1	100%
	Motorcycle	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Injuries	0	0	0	0	0%	0	0	0%	0	0	0%	0	0	0%

<b>PSD</b> Automobile Motorcycle Injuries	7	9	4	6	-33%	4	8	33%	4	6	-25%	4	5	-17%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	7	3	0	1	-67%	0	0	-100%	0	1	100%	0	0	-100%
<b>IMD</b> Automobile Motorcycle Injuries	0	3	0	1	-67%	0	0	-100%	0	1	100%	1	2	100%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	0	0	0	2	200%	1	1	-50%	1	0	-100%	2	3	300%
<b>PAD</b> Automobile Motorcycle Injuries	0	2	0	0	100%	0	0	0%	0	0	0%	0	1	100%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	0	0	0	0	0%	0	0	0%	0	0	0%	0	0	0%
<b>ESD</b> Automobile Motorcycle Injuries	0	0	4	6	600%	0	0	-100%	0	0	0%	0	0	0%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	0	0	0	1	100%	0	0	-100%	0	0	0%	0	0	0%
<b>ASD</b> Automobile Motorcycle Injuries	0	1	0	0	-100%	0	3	300%	0	2	-33%	0	1	-50%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2	4	2	0	-100%	2	0	0%	2	3	300%	2	3	0%
<b>SSD</b> Automobile Motorcycle Injuries														
<b>PMD</b> Automobile Motorcycle Injuries	0	0	0	0	0%	0	0	0%	0	0	0%			
	-	-	-	-	-	-	-	-	-	-	-			
	0	0	0	0	0%	1	0	0%	1	0	0%			
<b>DAD</b> Automobile Motorcycle Injuries	0	0												
	-	-												
	0	0												
<b>DTD</b> Automobile Motorcycle Injuries	0	0	0	0	0%	0	2	200%						
	-	-	-	-	-	-	-	-						
	0	0	0	0	0%	0	3	300%						

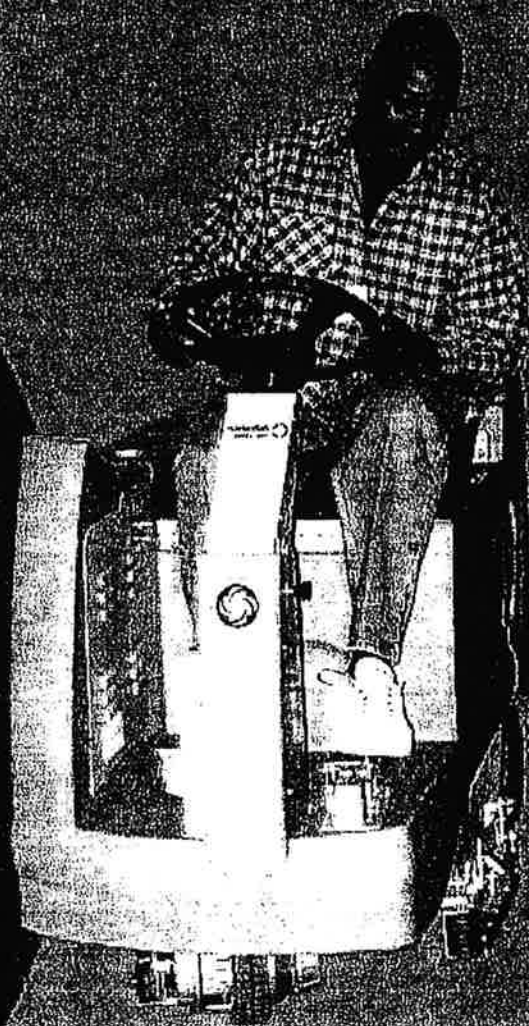
## **EXHIBIT 3**



# User's Guide to Cal/OSHA



## California Occupational Safety and Health Program



This publication explains the requirements of California law for workplace safety and health, and the functions of the California Occupational Safety and Health (Cal/OSHA) Program. It is not intended to provide interpretation of law. Anyone who has questions about laws relating to Cal/OSHA should refer directly to the pertinent regulation or sections of the law.

Workplace safety and health information  
is available 24 hours a day on the Internet:

**<http://www.dir.ca.gov/dosh>**

Overview of Cal/OSHA.....	3
Internet access .....	3
Employer & Employee Assistance .....	4
Consultation Service .....	5
What is an Injury & Illness Prevention (IIP) Program? .....	5
Keeping Records & Reporting .....	6
Injury & illness records .....	6
Reporting fatalities & serious injuries .....	6
Exposure records .....	6
Documenting activities .....	6
Employee access to medical & exposure records .....	6
Workplace Safety & Health Inspections .....	7
What to Expect on a Cal/OSHA Inspection .....	8
Initial contact, presentation of credentials .....	8
Opening conference .....	8
Walkaround .....	9
Closing conference .....	9
Informal conference .....	10
Occupational Safety & Health Appeals Board .....	10
Employee Involvement .....	11
Filing a complaint .....	11
Protection from discrimination .....	11
Walkaround .....	11
Closing conference .....	11
Informal conference .....	11
Occupational Safety & Health Appeals Board .....	11
Types of Citations & Penalties .....	12
Permit Requirements .....	13
Carcinogen control .....	13
Asbestos work, lead work .....	13
Crane safety .....	14
Construction permits .....	14
Permit renewal by mail .....	14
Blasting licenses .....	15
Mining & tunneling, pressure vessels, elevators, amusement rides, aerial passenger tramways .....	15
Cal/OSHA equipment approval .....	15
Occupational Safety & Health Standards .....	16
Occupational Safety & Health Standards Board .....	16
Taking part in the standard setting process .....	16
Variances .....	16
Current Workplace Safety & Health Issues .....	17
Agricultural safety & health .....	17
Construction safety & health.....	17
Responsibilities of employers at multi-employer work sites.....	18
Workplace ergonomics.....	19
Worker Rights/Responsibilities.....	20
Employer Responsibilities .....	20
Posters and Publications .....	21
Directory of Offices .....	22
Division of Occupational Safety and Health Units .....	23

The Department of Industrial Relations (DIR) within the Labor and Workforce Development Agency has administered the Cal/OSHA program since 1973 when California's plan was submitted to federal OSHA for approval. Major units are:

- Division of Occupational Safety and Health (DOSH)—enforces worker safety and health standards, offers free training and consultation to employers and their employees for complying with the workplace safety and health regulations.
- Occupational Safety and Health Standards Board—adopts, amends and repeals standards.
- Occupational Safety and Health Appeals Board—hears appeals regarding Cal/OSHA enforcement actions.

Mutual support is also provided by the:

- Division of Labor Standards Enforcement, within DIR—protects employees who report hazardous working conditions from being discriminated against in the workplace.
- Division of Labor Statistics and Research, within DIR—publishes reports on occupational injuries and illnesses.
- Hazard Evaluation System and Information Service (HESIS)—administered by DIR and the Department of Health Services—evaluates and provides information about toxic substances.

Cal/OSHA covers virtually all workers in the state, including those employed by state and local government. Cal/OSHA does not cover federal employees or offshore maritime workers.

Some DOSH responsibilities described in this guide are mandated by state law only, and do not receive federal funding. They include:

- Certifying employers, consultants and trainers involved in asbestos-related work.
- Issuing permits for operation of elevators, amusement rides and aerial passenger tramways.
- Inspecting mines, tanks and boilers.

Legislation affecting the Cal/OSHA program includes unique requirements concerning cranes, construction permits, asbestos, lead, ergonomics and bloodborne pathogens. In 1989, Senate Bill 198 required employers to establish and maintain an injury and illness prevention program.

The 1993 workers' compensation legislative reforms mandate targeted inspections and consultations as a first line of defense against rising workers' compensation claims. Primary emphasis is on high-hazard industries and employers who show the highest incidence of workplace injuries and illnesses.

In 1999, Assembly Bill 1127 made statutory changes increasing the effectiveness of Cal/OSHA's enforcement efforts and the safety and health protections afforded California workers.

California's workplace safety and health program is respected worldwide for its ability to meet the challenges of the ever changing work environment—a tradition dating back to 1911.

#### —Internet access—

The DIR Web site offers a resource library of workplace safety and health information. Title 8 of the *California Code of Regulations* is available at <http://www.dir.ca.gov> online.

**On the DOSH Web site**—<http://www.dir.ca.gov/dosh>—select **Contact Us**.

**Accidents and complaints**—to report a workplace accident or file a complaint, click on Cal/OSHA Enforcement Unit District Office for the office closest to the workplace where the accident occurred or the complaint conditions exist.

**Publications**—to download or order a Cal/OSHA publication, click on Publications.

**Consultation assistance**—the Cal/OSHA Consultation Service has a video for online viewing. E-mail them at [InfoCons@dir.ca.gov](mailto:InfoCons@dir.ca.gov) for their free-for-the-asking assistance.

**eGovernment**—The DOSH Web site now provides access to information related to DOSH units, with links to pertinent Labor Code sections, policy and procedure references, Title 8 regulations, regulatory agencies, technical information and compliance data.

The Asbestos Contractor Registration page allows viewers to check the status of registered asbestos contractors. The Crane Certifier Accreditation unit has an online list of accredited crane certifiers and analysis of crane accidents. The Workers Page explains how to file Cal/OSHA complaints and whistleblower complaints, and describes worker rights and responsibilities. Employers can satisfy the requirement for lead pre-job notification by completing the notification form online.

Cal/OSHA believes that enforcement is only one tool for decreasing worker injuries, illnesses and fatalities. Federal OSHA and Cal/OSHA both use incentives promoting voluntary compliance, as well as employer/employee education and training to identify and abate worksite hazards.

California has a broad array of programs focusing on voluntary compliance with workplace safety and health regulations—including assistance by telephone, consultation visits to employers' work sites, a Voluntary Protection Program, training and education for employers and employees, safety and health conferences on topics such as workplace security, and published guidelines and model programs.

## —Consultation Service—

To encourage voluntary compliance with occupational safety and health regulations and to help lower workplace injury and illness rates, the Consultation Service offers assistance to both employers and employees. Consulting services include on-site visits and compliance assistance, injury and illness prevention program improvement, educational seminars and publications.

Request assistance from the Cal/OSHA Consultation Service by phoning their toll-free number:  
1-800-963-9424.

**On-site visits**—employers may phone to request on-site assistance, which is provided only through employer invitation. Employees and employee groups may phone to request consultation away from the job site.

The Consultation Service is separate and distinct from Cal/OSHA enforcement operations, and consultants do not participate in Cal/OSHA enforcement activities. All communications between the employer and the Consultation Service are held in confidence and not shared with Cal/OSHA enforcement staff.

On-site consultation visits do not result in citations or penalties. However, in return for receiving the free onsite assistance the employer must agree to timely correction of hazards identified that could lead to the serious injury or death of an employee.

Because work site conditions change over time, the Consultation Service cannot guarantee that Cal/OSHA enforcement will not inspect the

workplace or find violations. The goal of consultation assistance is to help employers in their efforts to become self-sufficient concerning workplace safety and health.

## **Injury and Illness Prevention (IIP) program**

**improvement**—statistics show that many occupational accidents and illnesses are preventable through an effective safety and health program. For a workplace program to be effective, the employer should develop a comprehensive plan with emphasis on both management commitment and employee participation. Development and conscientious implementation of a comprehensive program should result in lower injury, illness and fatality rates along with reduced workers' compensation costs.

Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective injury and illness prevention program that addresses hazards pertaining to the particular workplace covered by the program. The Cal/OSHA Consultation Service publishes guidelines and model programs to help employers carry out such a program. Consultation assistance is available for evaluating and improving the employer's program.

**Educational seminars**—the Consultation Service facilitates and participates in workplace safety and health seminars focused on high-hazard industries, processes and occupations.

**Publications**—Cal/OSHA publishes an extensive list of materials to help employers and employees set up and manage effective injury and illness prevention programs on the job. Guidelines and model injury and illness prevention programs are widely distributed. Publications may be obtained from any Consultation Service office, and are available from the Internet at <http://www.dir.ca.gov/dosh> online.

A list of Cal/OSHA publications is given at the back of this guide. A number of them are available in English and Spanish and some in as many as six languages, based on recommendations of a bilingual task force. Pamphlets on job safety are printed in English, Spanish, Tagalog, Chinese, Korean and Vietnamese.

**Voluntary Protection Program**—administered through the Cal/OSHA Consultation Service, the California Voluntary Protection Program (Cal/VPP) is a certification program recognizing employers whose

occupational safety and health programs are exemplary and meet Cal/VPP guidelines. Employers participating in this program have produced significant reductions in injury and illness rates as a result of employer commitment to and employee involvement in workplace safety and health. This program enables conscientious employers and employees to work together with the Consultation Service in managing safety and health on the job. In addition to the benefits of lower injury and illness rates, Cal/VPP participants receive nationwide recognition—and Cal/OSHA enforcement will not make routine scheduled inspections of a participating certified work site.

### **—What is an Injury & Illness Prevention (IIP) Program?—**

Basic to voluntary compliance is the state required Injury and Illness Prevention Program for employers and employees working together to carry out effective accident prevention on the job. The following elements must be established and maintained—as well as set forth in writing—in the employer's IIP Program:

**Responsibility**—the employer's written IIP Program must provide the name and/or job title of the person(s) with the authority and responsibility for its implementation. Employees must be able to give the name of the individual whose title is designated as responsible for the IIP.

**Compliance**—a system must be set forth in writing to ensure that employees comply with safe and healthful work practices.

**Communication**—a system for communicating with employees about safety and health matters—in a form easily understood such as meetings, training programs, posted or written notification—must be part of the employer's written IIP Program. Employees must be encouraged to inform their employer of hazards at the work site without fear of reprisal.

**Hazard assessment**—procedures for identifying and evaluating workplace hazards—such as periodic inspections performed by a competent observer—must be provided in the IIP.

**Accident/exposure investigation**—a procedure to investigate workplace injuries or illnesses must be provided in the IIP.

**Hazard correction**—methods and procedures for correcting in a timely manner any unsafe or unhealthful work conditions or work practices must be provided in the IIP, and specific abatement methods must be included.

**Training and instruction**—an effective program of instructing employees on general safe work practices and hazards specific to each job assignment must be provided in the IIP, and the required training must be given.

**Keeping records**—there must be adequate written documentation of the steps taken to establish and maintain the employer's IIP Program.

**Labor-management safety and health committee**—if the employer uses a labor-management safety and health committee to comply with communication requirements of the IIP Program standard, the committee must meet Title 8 requirements.

**Small employer exemption**—requirements for written documentation of the IIP Program are less stringent for:

- Employers with fewer than 20 employees who are not in high-hazard industries and who have a workers' compensation experience modification rate of 1.1 or less.
- Employers with fewer than 20 employees who are in designated low-hazard industries.

There are also special exemptions for employers with seasonal or intermittent employees, and for local government.

The model programs published for non-high hazard and seasonal industries—and in Spanish for agriculture employers—help employers and their employees develop effective IIP programs.

All employers in California covered by the Cal/OSHA Act—except those with no more than ten employees at any one time during the year, or those in some low-hazard industries—are required to keep Cal/OSHA records.

These records provide a basis for identifying hazardous areas or operations where corrective action is needed, inform employees of the employer's workplace safety and health status, and provide data for a nationwide survey of occupational injuries and illnesses. The records are also reviewed during every Cal/OSHA consultation visit and workplace inspection.

## —Injury & illness records—

The Cal/OSHA record keeping system has four steps:

- Prepare a supplementary record of each recordable workplace fatality, injury and illness.
- Enter each recordable injury or illness on the log and summary of occupational injury and illness.
- Enter totals on the summary form, post it no later than February 1, keep it posted where employees can see it through April 30th, and provide copies as required.
- Maintain these records in employer files for five years.

## —Reporting fatalities & serious injuries—

Employers must report work-related or suspected work-related fatalities, catastrophes, and serious injuries or illnesses within eight hours—by phone or fax—to the nearest district office of the Cal/OSHA Enforcement Unit in the Division of Occupational Safety and Health.

A serious injury or illness is one that requires employee hospitalization for more than 24 hours for other than medical observation, or in which a part of the body is lost or permanent disfigurement occurs.

Work-related serious injury or illness does not include an accident on a public street or highway, or any injury, illness or death caused by committing a Penal Code violation—except for the violation of Penal Code Section 385 on operating heavy equipment adjacent to high voltage wires.

The DOSH Mining and Tunneling Unit must be notified immediately of mine fires, hoisting mishaps, sudden inflows of dangerous gases or water, and ground instability—whether or not people are injured. Tunnel fires that may cause serious injury must be reported to DOSH within 24 hours.

## —Exposure records—

Cal/OSHA standards concerning toxic substances and hazardous exposures require records of employee exposure to these substances and sources, physical examinations, reports, employment records and other information.

## —Documenting activities—

Cal/OSHA standards require keeping records of the steps taken to establish and maintain the injury and illness prevention program, including records of the scheduled and periodic inspections to identify hazardous conditions and work practices, and documentation of the safety and health training given to employees. These records must be kept for at least one year.

## —Employee access to medical & exposure records—

To improve detection, treatment and prevention of occupational disease and to support a worker's right to know, General Industry Safety Order 3204 states that workers and their designated representatives may see and copy:

- Their own medical records.
- Records of exposure to toxic substances and harmful physical agents measured either by workplace monitoring or by biological monitoring to gauge absorption of a substance or agent by body systems.
- Records of exposure to toxic substances and harmful physical agents for employees with similar jobs or working conditions.
- Material safety data sheets or equivalent information that the employer has for chemicals or substances used in the workplace.



Cal/OSHA is authorized to conduct workplace inspections to enforce occupational safety and health standards. Every workplace covered by Cal/OSHA may be subject to inspection by compliance safety and health staff.

Inspections are conducted by Cal/OSHA safety engineers and industrial hygienists from district offices throughout California. Mining and tunneling enforcement is handled by a separate unit, and a high hazard unit makes targeted inspections in high-hazard industries.

Complaint, referral and accident inspections, as well as the scheduled compliance inspections, are conducted by the district offices.

## General scheduled inspections:

**Programmed planned**—an inspection of employers randomly selected in specific industries, or as part of a national or local workplace safety and health emphasis program.

**Programmed related**—an inspection of an employer at a multi-employer work site that was not included in the programmed planned assignment that initiated the work site visit.

## Unprogrammed inspections:

**Accident**—an inspection resulting from the requirement that an employer must report a fatality, catastrophe, or serious injury or exposure within eight hours of when the employer knows of the event.

**Complaint**—an inspection resulting from a complaint of a hazard or violation believed to exist in a workplace.

- **Formal complaint**—a complaint filed by an employee, employee representative, employer of an employee at a multi-employer work site, or a government agency. Employee representative includes attorneys, union or health/safety professionals who have a representational relationship with an employee at the place of employment where the hazardous condition exists.

Formal complaints are investigated by conducting an on-site investigation within three working days for serious complaints and within

14 calendar days for nonserious complaints, unless the complaint is without reasonable basis or is intended to harass the employer. Serious complaints from state or local prosecutors are investigated within 24 hours, and imminent hazard complaints are investigated immediately.

- **Informal complaint**—a complaint filed by anyone who is not an employee or employer, or an employee filing an anonymous complaint.

Serious informal complaints are investigated by phone/fax and nonserious by letter to the employer. Some responses are scheduled for inspection to verify their accuracy.

**Referral**—a report of hazards or alleged violations originating from the following:

- Safety or health compliance officer.
- Media reports.

**Follow-up**—an inspection conducted to determine whether the employer has abated violations previously cited on a Cal/OSHA inspection. A follow-up inspection is made when any of the following have been issued:

- Order prohibiting use.
- Court restraining order.
- Citation for violations characterized as willful or repeated, or serious violations with abatement periods of less than six days.
- Citation for violations of the injury and illness program requirements.
- Special order, or order to take special action. A follow-up inspection is also made when no evidence of abatement of a serious violation is received from the employer, and for 20 percent of cases where a serious violation was found during the initial inspection.

**Unprogrammed related**—an inspection of an employer at a multi-employer work site that was not identified as a participant of the original unprogrammed inspection assignment—accident, complaint, referral, follow-up—which initiated the visit to the work site.



## —Initial contact—

Cal/OSHA enforcement staff obtain permission to conduct an inspection from a management level representative of the employer, or if none is present, from the employer representative who appears to have authority to grant permission to conduct the inspection.

If permission to enter is refused, Cal/OSHA will obtain an inspection warrant. A Cal/OSHA inspection is based on one or more criteria, and may focus on part or all of the workplace or operating procedures. Inspection priorities are:

- Imminent hazard.
- Fatality or catastrophe.
- Investigation of serious injury or exposure.
- Formal complaints.
- Scheduled inspection, usually of businesses in industries with higher-than-average potential risk.

## —Presentation of credentials—

Cal/OSHA inspectors identify themselves to the employer by showing their State of California photo identification card and Division of Occupational Safety and Health business card prior to conducting an inspection of the work site.

**Imminent hazards**—if an inspection is being conducted because of an imminent hazard, Cal/OSHA enforcement inspectors, after identifying themselves to the nearest available representative of the employer, ask to be taken to the imminent hazard immediately. After employees have been removed from exposure to the imminent hazard, the inspectors will conduct an opening conference.

**Order prohibiting use (yellow tag)**—if during an inspection or investigation the Cal/OSHA enforcement engineer or industrial hygienist concludes that a condition or practice exists which creates an imminent hazard to the safety and health of workers, the affected workers are informed and an *Order Prohibiting Use* is issued to the employer. This order prohibits employee use of the area, machine or equipment that presents the hazard, and a yellow tag is placed conspicuously in the area where the imminent hazard exists.

The employer may request a hearing by Cal/OSHA after being issued an order prohibiting use. The hearing is held within 24 hours of the request. The employer is required to notify employees or an employee

representative of the hearing to ensure that they are informed of their right to attend. The Cal/OSHA district manager also informs an employee representative of the right to attend, and the hearing time and location.

The yellow tag may not be removed until the hazardous condition no longer exists or the required safeguards and safety devices are installed. Only an authorized Cal/OSHA engineer or industrial hygienist can remove a yellow tag.

**Trade secrets**—information obtained by the Division of Occupational Safety and Health, as the result of an inspection, that contains or might reveal a trade secret is kept confidential, except when such information must be disclosed to Cal/OSHA staff or when it is relevant to any Cal/OSHA proceeding.

In such a proceeding, the Appeals Board, Standards Board, Director of Industrial Relations and the court will issue orders to protect the confidentiality of trade secrets.

**Advance notice**—by law, advance notice of an inspection is not given to an employer prior to the actual entry of Cal/OSHA enforcement staff upon the property, except by specific permission of the DOSH chief or authorized representative.

Unauthorized advance notice is a misdemeanor punishable by a fine of up to \$1,000 or imprisonment for up to six months, or both.

## —Opening conference—

An opening conference is conducted with the employer or the employer's highest ranking representative available at the inspected work site. The Cal/OSHA inspector explains the reason for and scope of the inspection to the employer. Joint opening conferences are held with the employer representative and bargaining unit representative of the employees. If the joint conference is not possible, separate opening conferences are held.

Enforcement staff will review the employer's permits and registration, documentation of workers' compensation coverage, occupational safety and health records, and the written IIP and any other required programs

### —Walkaround—

The Cal/OSHA inspector informs the employer of inspection walkaround procedures, employee interviews to be conducted, photographs of the work site that may be taken, testing and environmental samples that may be taken. If hazards observed during the walkaround are violations of the Title 8 safety orders, citations will be issued and monetary penalties proposed.

Enforcement staff will collect pertinent documentary and physical evidence during the inspection. If during the investigation of an accident or occupational illness it is necessary to ensure that the work site—or physical evidence located at the work site—is preserved until the inspection can be completed, enforcement personnel will issue an Order to Preserve.

**Citations**—if after an inspection or investigation Cal/OSHA believes that an employer has violated any Title 8 standard, order or regulation, a citation is issued that sets a reasonable time for abatement (correction).

The citation must be prominently posted by the employer at or near each place of violation referred to in a serious citation, or in a place where it is readily seen by all affected employees for general/regulatory violations—and must remain posted for a period of three working days or until the condition is abated, whichever is longer.

**How penalties are calculated**—penalties are based on the severity, extent and likelihood of the violation. Adjustments to the proposed penalty are made based on the size, good faith and history of the employer. The employer's history is based on an evaluation of any previous citation(s) within the last three years. Adjustments are also made for employers of 100 employees or less. Good faith can be demonstrated by the:

- Safety and health program evaluation.
- Cooperation during the inspection.
- Genuine effort to comply with Title 8 safety orders, including Injury and Illness Prevention Program requirements.
- Effectiveness of communication with employees on workplace safety and health.
- Resolve to correct hazards identified during the walkaround.
- Use of personal protective equipment.

Penalties may not be reduced for any reason other than size of company if a serious injury, illness, exposure or death is caused by any serious or willful or repeat violation, or by failure to abate a serious violation within the time permitted for its correction, or for a repeat violation. Except for size of company, penalties for serious violations are not reduced when an employer's IIP Program is not operative.

An employer who violates the Occupational Carcinogens Control Act by committing a serious violation of a standard is assessed civil penalties that are not subject to adjustment.

**Abatement credit**—the penalty for general and serious violations is reduced by 50 percent on the presumption that the employer will correct the violations by the abatement date. This credit is revoked and the proposed penalty doubled if verification of abatement of a serious violation is not submitted to Cal/OSHA on a timely basis. Proof of abatement must be submitted to avoid having the credit revoked.

**Failure to abate**—exists when evidence obtained by Cal/OSHA demonstrates that the employer failed to correct a previously cited violation by the date fixed for abatement. Penalties are assessed for each calendar day the violation is not abated.

### —Closing conference—

At the inspection's conclusion, the Cal/OSHA inspector holds a closing or exit conference with the employer to discuss any alleged violations of standards observed and any requirements for abatement.

The possibility of a followup inspection is also discussed, as are the employer's right to contest any citation or penalty, reasonableness of the abatement or abatement date that might be received from Cal/OSHA, availability of an informal conference to review Cal/OSHA enforcement actions, and the employer's responsibility to post citations and notify Cal/OSHA of abatement of certain violations.

**Verification of abatement**—enforcement staff assign an abatement date for each cited violation. Abatement is usually required within no more than 30 calendar days for general violations and seven days for serious violations. Employers are required to submit proof of abatement to the Cal/OSHA district office which issued the citation. Setting an abatement date depends on the:

- Probability that a fatality, injury or illness could occur as a result of the violative condition during the abatement period.
- Amount of time needed by the employer to accomplish abatement, for design work or obtaining materials, equipment, personnel.
- Availability of interim safety and health measures such as personal protective equipment or training.
- Occurrence of weekends or holidays.
- Existence of sufficient time for the employer to receive the citation.

#### —Informal conference—

Following receipt of a citation or notice, an employer may request a discussion with the Cal/OSHA district manager. An informal conference is conducted within 10 working days of citation issuance. If an appeal is filed, the conference may be held any time prior to the scheduled date of an appeal.

The employer may discuss requests for extension of abatement dates, evidence which indicates that no violation exists, or that the proposed penalties are inappropriate.

#### —Occupational Safety & Health Appeals Board—

Upon receipt of a citation, the employer may appeal to the Occupational Safety and Health Appeals Board in reference to the violation, proposed penalty or abatement requirement.

Any appeal must be made in writing within 15 working days of receipt of the citation. If an employer fails to notify the Appeals Board of their appeal within the 15 working day limit, and no notice is filed by an employee or employee representative within that time, the citation becomes a final order not subject to review by any court or other agency. The Appeals Board itself may extend the 15-day period for good cause.

Appeals can be resolved by a telephone prehearing conference without the necessity of a hearing. For appeals that require a hearing, the hearing is held in the Cal/OSHA district office as near as practicable to the site where the violation is alleged to have occurred. Although the appeal procedures are designed so that employers may represent themselves, attorneys represent employers in about half of the appeals.

The hearing is conducted by an administrative law judge who issues a decision. Parties affected by the decision may file a petition for reconsideration within 30 days if they disagree with the decision of the judge. Appeals Board reconsideration decisions may be appealed to Superior Court.

An overview of the appeal process is available on the Internet—<http://www.dir.ca.gov/oshappeals> online.

**—Filing a complaint—**

If an employee believes that working conditions are unsafe or unhealthful, the first step should be to call the employer's attention to the problem. If the employer does not correct the hazard or agree on its extent, the employee has the right to file a complaint with Cal/OSHA and request their inspection of the workplace.

Employees may file a complaint by phone, fax or mail to the nearest Cal/OSHA enforcement district office if they believe there is a violation of a Cal/OSHA standard or a serious safety or health hazard at the workplace. Cal/OSHA will evaluate the complaint to be sure there are reasonable grounds for believing a violation of a standard exists. Employees may also request advice from Cal/OSHA Consultation Service area offices.

On a complaint inspection, enforcement staff take care not to reveal to the employer the identity of the complainant(s), or any of the complaint items because disclosure of the items may identify the complainant. The employer is not given a copy of the complaint. Complainants who identify themselves to Cal/OSHA are notified of the results of an investigation. If Cal/OSHA determines that no violation exists, written notification of this determination is given to the complainant, who then has the right to request a review by Cal/OSHA.

**—Protection from discrimination—**

An employee may not be discharged, punished, or discriminated against in any way in terms and conditions of employment for filing a bona fide complaint concerning unsafe or unhealthful working conditions or work practices in a place of employment, or for exercising other rights granted in Labor Code Section 6310.

Employees who believe they have been discriminated against may file a complaint about this discrimination within six months with the nearest office of the Department of Industrial Relations' Division of Labor Standards Enforcement (state labor commissioner).

If the charge of discrimination is determined to be valid, the labor commissioner will grant appropriate relief to the employee, including rehire, reinstatement, and reimbursement for lost wages and work benefits. If the employer does not voluntarily comply, the labor commissioner may bring action in any appropriate court against an employer who has taken a retaliatory action against an employee.

**—Walkaround—**

Cal/OSHA enforcement staff will request that an employee representative be contacted and invited to accompany the Cal/OSHA inspector and the employer or employer representative on the inspection. If an employee representative is not present, the Cal/OSHA inspector must interview workers in confidence during the course of the inspection.

**—Closing conference—**

If provision is not made for employee representation at the closing conference with the employer, the employee or employee representative may request a separate closing conference with the Cal/OSHA inspector.

**—Informal conference—**

The employee representative is to be contacted by the employer. The employee or employee representative who participated in the inspection has the right to attend.

**—Occupational Safety & Health****Appeals Board—**

Affected employees or their representative may have the right to appeal the abatement period, and may also participate in the hearing if their employer files an appeal. More information on the appeal process is available online at [www.dir.ca.gov/oshab](http://www.dir.ca.gov/oshab).

During an inspection, the Cal/OSHA enforcement engineer or industrial hygienist may issue any of the following:

**Notice**—in lieu of a citation, issued when the violation does not directly or immediately affect the health and safety of employees, and is general or regulatory in nature.

**Special Order**—written to abate a hazard for which there is no existing standard. It is considered an order to correct and has the same effect as any standard, though it applies only to the place of employment described in the Special Order.

**Order to Take Special Action**—issued where a safety order exists, either stating that Cal/OSHA may require an employer to take certain action if circumstances warrant, or prescribing a specific manner in which the employer must comply with the safety order.

**Information Memorandum**—issued where a condition exists that has the potential to become hazardous in the future.

**Citation**—written for a violation which affects the safety or health of employees. Citations may be issued for:

- A regulatory violation, cited when an employer fails to comply with record keeping, posting or permit requirements.
- A general violation, cited when an accident or occupational illness resulting from violation of a standard would probably not cause death or serious physical harm, but would have a direct or immediate relationship to the safety or health of employees.
- A serious violation, cited where there is substantial probability that death or serious physical harm could result from a condition which exists—or from practices, operations or processes at the workplace.
- A willful violation, where evidence shows that the employer committed an intentional and knowing violation—as distinguished from inadvertent or accidental or ordinarily negligent—and the employer is conscious of the fact that what they are doing constitutes a violation, or is aware that a hazardous condition exists and no reasonable effort was made to eliminate the hazard.
- A repeat violation, when a recurrence of the previously cited standard, regulation, order or condition is found within three years of the previous violation becoming a final order. Repeat violations

differ from willful violations in that they may result from an inadvertent, accidental or ordinarily negligent act. If a repeat violation is also willful, a citation for willful violation is issued.

**Failure-to-Abate**—issued when an employer has not abated a condition previously cited by Cal/OSHA. If an employer has not corrected an alleged violation for which a citation has been issued, the violation is classified as failure-to-abate serious or general.

### —Penalties—

**Civil penalties**—issued for cited violations and failure to abate a violation. Effective January 1, 2000, government agencies are no longer exempt from civil penalties, including penalties for failure to abate.

Penalties of up to \$15,000 per day may be proposed for each failure to correct a violation by the abatement date shown on the citation.

An employer who receives a citation for a serious violation may be assessed a civil penalty of up to \$25,000 for that violation. Penalties for general and regulatory violations may be assessed up to \$7,000 for each violation.

A penalty of not less than \$5,000 nor more than \$70,000 may be assessed an employer who willfully violates any occupational safety and health standard or order. The maximum civil penalty that can be assessed for each repeat violation is \$70,000.

**Criminal penalties.** A willful violation that causes death or permanent or prolonged impairment of the body of any employee results, upon conviction, in a fine of up to \$250,000 or imprisonment up to three years, or both—and if the employer is a corporation or limited liability company, the fine may not exceed \$1.5 million.

Anyone convicted of making a false statement or certification on records or other documents required under the Cal/OSHA program is subject to a fine of up to \$70,000 or imprisonment up to six months, or both. The law also contains misdemeanor provisions relating to matters such as knowingly or negligently violating a workplace safety and health regulation, repeatedly violating a regulation, or refusing to comply with a regulation, and thereby creating an employee hazard. Criminal penalties are enforced by the local district attorney.

The California Legislature has enacted a number of permit, licensing, registration, certification and notification requirements (see also page 6 of this guide).

## —Carcinogen control—

State law requires employers to meet strict standards to protect workers who handle carcinogenic substances. Specific standards are written for carcinogenic (cancer causing) substances.

Employers must file a Report of Use with the chief of DOSH for carcinogenic use and incidents exposing workers to these substances. Title 8 Section 5203 states what the report shall include.

Current Title 8 carcinogen standards are:

- 1529, 5208, 5208.1, 8358—Asbestos
- 1532, 5207—Cadmium
- 1535, 5200—Methylenedianiline (MDA)
- 5201—1,3 Butadiene
- 5202—Methylene Chloride
- 5209—Carcinogens:
  - 2-Acetylaminofluorene
  - 4-Aminodiphenyl
  - Benzidine and its salts
  - 3,3'-Dichlorobenzidine and its salts
  - 4-Dimethylaminoazobenzene
  - alpha-Naphthylamine
  - beta-Naphthylamine
  - 4-Nitrobiphenyl
  - N-Nitrosodimethylamine
  - beta-Propiolactone
  - bis-Chloromethyl ether
  - Methyl chloromethyl ether
  - Ethyleneimine
- 5210—Vinyl Chloride
- 5211—Coke Oven Emissions
- 5212—1,2-Dibromo-3-Chloropropane (DBCP)
- 5213—Acrylonitrile
- 5214—Inorganic Arsenic
- 5215—4,4'-Methylenebis (2-Chloroaniline) (MBOCA)
- 5217—Formaldehyde
- 5218—Benzene
- 5219—Ethylene Dibromide (EDB)
- 5220—Ethylene Oxide (EtO)

For information and assistance regarding carcinogens and carcinogen standards, contact offices of the Cal/OSHA Consultation Service or the Asbestos Contractors Registration/Occupational Carcinogen Control Unit listed at the back of this guide.

## —Asbestos work—

Contractors and employers who perform asbestos-related work must be registered with the Asbestos Contractors Registration Unit (listed at back of guide). Employer registration is required:

- if measurable asbestos fibers may be released into the air, and
- if the asbestos content of the construction materials is greater than 0.1 percent by weight, and
- if the job is 100 square feet or more in surface area.

Registered contractors or employers must give written notification to the nearest Cal/OSHA district office 24 hours before beginning an asbestos abatement job, regardless of the amount of asbestos-containing material to be disturbed.

Asbestos consultants and site surveillance technicians who contract to provide professional safety and health services associated with asbestos-related work must be certified by the Asbestos Consultant and Trainer Approval Unit (listed at back of guide). To obtain certification, the individual must pass a proficiency examination administered by this unit.

Both monetary and criminal penalties apply to contractors, employers, consultants, and site surveillance technicians who are not registered or certified. The standards for work involving asbestos-containing construction materials define who is required to register, the registration process, and how the employer is to conduct the work. Definitions for certified asbestos consultant and site surveillance technician are described in Title 8.

## —Lead work—

Under certain conditions specified in Title 8, contractors or employers must give written notification to the nearest Cal/OSHA district office 24 hours prior to the start of lead work. There is an annual notification option for employers conducting ongoing lead-related operations and maintenance work on stationary steel structures.

### —Crane safety—

**Tower cranes**—the Division of Occupational Safety and Health ensures safe erecting, climbing, dismantling and operating of tower cranes by:

- Issuing permits for erecting fixed tower cranes, operating fixed and mobile tower cranes.
- Informing crane employers of safety standards and manufacturer's recommended practices prior to erecting and operating a tower crane.
- Requiring crane employers to notify the nearest Cal/OSHA district office when a fixed tower crane will begin operation, be jumped or dismantled, and when a mobile tower crane will be operated at different sites.
- Conducting periodic inspections of workplaces with tower cranes.

Cal/OSHA is required to inspect fixed and mobile tower cranes within ten business days of receiving an application for an operating permit. Twice a year Cal/OSHA inspects each tower crane—including free-standing, climbing, mobile and self-erecting tower cranes.

Cal/OSHA must be notified 24 hours in advance when a tower crane begins operation, is jumped, and is dismantled—and when a mobile tower crane begins operating.

**Crane certifiers**—anyone testing, examining or certifying cranes and derricks in lifting service that exceed three tons rated capacity is required to be licensed as a crane certifier by Cal/OSHA, or to be approved by Cal/OSHA as a surveyor to certify cranes under the authority and supervision of a licensed crane certifier.

Unannounced audits of the activities of crane certifiers and surveyors licensed by Cal/OSHA are conducted at least once during each licensing period, and complaints and accidents involving crane certifiers or surveyors are investigated.

Licensed crane certifiers are required to maintain complete records of each crane and derrick inspection, test, and other work. They are also required to notify Cal/OSHA of any deficiencies affecting the safe operation of a crane found during its certification inspection, within five working days following the inspection. Failure to report crane safety deficiencies or

to maintain required records may result in license suspension or revocation.

### —Construction permits—

Permits from the Division of Occupational Safety and Health are required before an employer may undertake the following work:

- Constructing trenches or excavations five feet or deeper and into which a person is required to descend.
- Constructing a building, structure, falsework or scaffolding higher than three stories.
- Demolition of a building, structure, falsework or scaffolding higher than three stories.
- Constructing or dismantling vertical shoring systems higher than three stories.
- Helicopter operations during construction of a building or structure.

Before beginning construction, each permit holder must complete a Cal/OSHA notification form and mail or fax it to the nearest Cal/OSHA district office where the work is to be performed.

Cal/OSHA may inspect or confer with the employer before the work is started. If a pre-job safety conference between Cal/OSHA and the employer is a requirement specified when the permit is issued, employees or their representatives are to be included at the conference.

An employer who is denied a permit by Cal/OSHA may appeal that denial to the Director of Industrial Relations. On good cause, after notice to the employer and an opportunity to be heard, Cal/OSHA may revoke any permit issued.

Permits must be posted at or near each place of employment requiring a permit. If posting at the actual job site is not possible, the permit must be available for inspection at all times at the site—or, in the case of a mobile unit, at the employer's head office in the area.

### —Permit renewal by mail—

Responding to contractors' requests for expedient renewal of their annual construction permits, a system was set up to process and issue permits by mail for employers holding annual permits the previous year. Cal/OSHA checks for requirements such as a valid state contractor's license, name and address changes, and citation history that may affect issuing an annual permit.

Employers save time renewing annual permits by mail instead of driving to a district office. Another benefit is centralized permit information, making it easier for public agencies and private businesses to inquire about contractors' permit status.

#### —Blasting licenses—

Any time an employer is planning the use of explosives in the workplace, a blasting license is required. This applies to construction, mining, tunneling, well servicing, seismic exploration, structural demolition, and special uses within general industry.

#### —Mining & tunneling—

All underground mining and tunneling operations require certification of safety representatives and gas testers by the Mining and Tunneling Unit (listed at back of guide). Permits are also required for underground use of diesel engines in mines and tunnels.

The owner, operator or person in charge of any mine must notify the Mining and Tunneling Unit before beginning operations. (See also page 6 of this guide for other notification requirements.)

#### —Pressure vessels—

Permits issued by the Pressure Vessel Unit (listed at back of guide) are required for air tanks, LPG propane storage tanks over 125 gallons, and high pressure boilers over 15 psig steam. Permit exceptions depend on vessel capacity and operating pressures. Permit inspections may be done by Pressure Vessel Unit engineers or certified insurance inspectors.

#### —Elevators—

Permits and annual certification renewal by the Elevator, Ride and Tramway Unit (listed at back of guide) are required for installing and operating passenger and freight elevators, side-walk elevators, manlifts and special access elevators/ lifts, dumbwaiters, incline elevators, escalators, moving walks, inclined reciprocating conveyors, material lifts, hand-powered man platforms and screw column elevators.

#### —Amusement rides—

Permits issued by the Elevator, Ride and Tramway Unit are required for the operation of amusement rides, including bungee jumping. Certification is also required for qualified safety inspectors of permanent amusement rides, and these inspectors must complete a training program and pass a written exam.

#### —Aerial passenger tramways—

Permits issued by the Elevator, Ride and Tramway Unit are required for operating all passenger tramways, which are inspected twice yearly in summer and winter.

#### —Cal/OSHA equipment approval—

Cal/OSHA does not approve equipment or products, which may be used to comply with occupational safety and health standards, unless the specific standard requires such approval. Each approval made under these conditions is assigned an approval number.

Examples of equipment requiring Cal/OSHA approval are gasoline vapor recovery systems, permanently installed maintenance equipment (window washing), radio signaling devices used in logging, automotive lifts and rebar caps.

Equipment manufacturers often provide engineering information to their customers, since they are concerned about safe operation of their equipment and want to avoid liability.

Any product-advertising that claims "Approved by DOSH" or "Approved by Cal/OSHA" is inaccurate unless the approval number is also given.



Cal/OSHA is required to adopt reasonable and enforceable standards at least as effective as those adopted by federal OSHA.

Cal/OSHA further protects the health and safety of workers by adopting additional standards when no comparable federal standards apply. Pending development of a permanent standard, emergency regulations may be adopted to take immediate effect where employees are exposed to hazards or life-threatening danger.

### **—Occupational Safety & Health Standards Board—**

Workplace safety and health standards are adopted, amended or repealed by the Occupational Safety and Health Standards Board. The Standards Board also makes decisions on petitions for changes to standards and permanent variances.

California's standards for occupational safety and health are in the California Code of Regulations, Title 8, Industrial Relations—available on the Internet in a searchable format from the Standards Board home page: <http://www.dir.ca.gov/oshsb> online.

Cal/OSHA Consultation Service publishes construction and manufacturing industry guides that summarize and paraphrase standards specific to these industries, as well as reprints of some of the most frequently cited standards.

### **—Taking part in the standard setting process—**

Interested individuals and organizations may take part in standards development as members of standards advisory committees. Requests to serve on advisory committees should be made to either the Division of Occupational Safety and Health or the Standards Board.

Interested persons may also request to be included on the board's mailing list, which is used to notify persons of proposed changes to standards, and the time and place of the Standards Board's public hearings/meetings—for opportunity to give written and voiced comments on the proposed new or revised standards. This information is also available on the Internet— <http://www.dir.ca.gov/oshsb> online.

Anyone seeking regulatory changes may petition the board verbally or in writing. The Standards Board has six months following receipt of a petition to report its decision.

### **—Variances—**

Employers may apply to the Standards Board for a permanent variance from an occupational safety and health standard, order or special order, if they can demonstrate that an alternative method, device or process provides equal or superior safety for workers.

Applications are considered at variance hearings conducted by the Standards Board. Rules of procedure are in Chapter 3.5 of the *California Code of Regulations*, Title 8, starting with Section 401.

The Division of Occupational Safety and Health has the authority to grant a temporary variance if an employer files a proper application and one of the following conditions exists:

- The employer cannot comply with a new standard by its effective date, and applies to the Division of Occupational Safety and Health for a temporary variance prior to the effective date of the standard.
- The employer has developed a new process or has new machinery, finds that this is in violation of an existing standard, and needs extra time to bring the new process or equipment into compliance.
- The employer has just purchased a plant or establishment and finds that there are violations which will take a certain length of time to correct.

A temporary variance may be granted only after notice is given to employees and a hearing is held. Anyone adversely affected by the granting or denial of a temporary variance may appeal that action to the Standards Board.

### **—Agricultural safety & health—**

Beginning as a pilot project in 1999, Cal/OSHA developed the Agricultural Safety and Health Inspection Project (ASHIP) involving increased enforcement and consultation. Despite the significant number of fatalities, injuries and illnesses in agriculture, Cal/OSHA receives few complaints from agricultural employees themselves, and therefore needed to increase enforcement and consultation. The strategic goal is to reduce the number of fatalities and serious injuries and illnesses in agriculture.

Agriculture production is one of the most hazardous industrial activities in California. Among other safety and health hazards, agricultural injuries and illnesses arise from:

- Machinery-related accidents such as tractor rollover.
- Heat stress.
- Field sanitation hazards such as lack of drinking water, toilet and handwashing facilities.
- Musculoskeletal hazards such as prolonged stoop labor.
- Skin hazards such as lacerations from pruning knives, exposure to soil contaminants.
- Electrical hazards such as working with metal ladders near energized power lines.

### **—Construction safety & health—**

Beginning in 2000, Cal/OSHA developed the Construction Safety and Health Inspection Project (CSHIP) involving increased enforcement and consultation. The goal is to reduce the number of fatalities and serious construction injuries and illnesses.

Within total employment by industry, construction ranks first among private sector industries in the number of nonfatal injury cases. Though the incidence rate of nonfatal injuries in California industries has generally declined, in the construction industry the rate is considerably higher than the nonfatal injury rate for all private sector industries combined, and the highest for any single major industry group.

The work-related mortality rate in the construction industry is the second highest among all California

industries. Construction accounts for just five percent of the California work force, yet nearly one in five occupational fatalities occurs in construction. Falls from heights of one story or more, usually from roofs or scaffolds, are one of the main causes of death in construction.

### **—Responsibilities of employers at multi-employer work sites—**

The California Legislature during 2000 codified into statute the responsibilities of employers at multi-employer work sites. A multi-employer work site is any work site where more than one employer and their employees work, not necessarily at the same time. Construction sites are the most common multi-employer work sites.

Labor Code Section 6400 (b) is identical to the Division of Occupational Safety and Health 1998 multi-employer work site regulation in Title 8 of the California Code of Regulations, Sections 336.10-11. Before its adoption, only the employer whose employees were actually exposed to a violation could be cited for that violation. Now Cal/OSHA can cite the employer who is responsible for a violation, even when that employer has no employees exposed to the hazard.

Cal/OSHA gathers sufficient evidence to determine which employer or employers associated with a multi-employer work site should be cited for hazardous conditions found at the work site, and issues citations to protect every employee working at the multi-employer work site from exposure to safety and health hazards.

### —Workplace ergonomics—

California's workplace repetitive motion injury standard, effective July 1997, was the first in the nation to deal with musculoskeletal injuries which are caused by a repetitive job, process or operation. In 1999 the Legislature reaffirmed its concern over the prevalence of repetitive motion injuries in the workplace and the continuing duty of the Standards Board to adopt standards relating to ergonomics in the workplace.

The Cal/OSHA ergonomics standard contains three independent requirements:

- Work site evaluation of each job, process or operation of identical work activity, such as word processing, assembly or loading.
- Control measures to correct in a timely manner the exposures causing repetitive motion injuries.
- Employee training.

The standard is enforced when at least two employees at the employer's workplace are diagnosed with a repetitive motion injury within 12 months by a licensed physician. Employees incurring the repetitive motion injury must have been performing a job, process, or operation of identical work activity.

The Cal/OSHA Consultation Service makes numerous presentations on workplace ergonomics, back injury prevention and musculoskeletal disorders to help employers and employees understand the scope of the problem and establish preventive measures minimizing the occurrence of repetitive motion injuries.

## Worker Rights/Responsibilities

### An employee has the right to:

- Safe and healthful working conditions.
- Get training from the employer on workplace hazards and workers' rights.
- Request information from the employer on Cal/OSHA standards, worker injuries and illnesses, job hazards and workers' rights.
- Request action from the employer to correct hazards or violations of Cal/OSHA standards.
- File a complaint with Cal/OSHA regarding violations of Cal/OSHA standards or serious workplace hazards.
- Be involved in a Cal/OSHA workplace inspection by participating in the walkaround.
- Find out the results of the Cal/OSHA inspection.
- Get involved in meetings or hearings to discuss any employer objections to Cal/OSHA citations or changes to abatement deadlines.
- File a formal appeal of deadlines for hazard correction.
- File a Cal/OSHA discrimination or whistleblower complaint with the state labor commissioner.
- Request from the National Institute for Occupational Safety and Health a research investigation of workplace health hazards.
- File a petition to the Occupational Safety and Health Standards Board for a new standard.
- Participate in developing new standards.

### An employee is responsible for:

- Following all workplace safety and health rules and regulations, and wearing/using prescribed protective equipment while working.
- Reading at the job site the Cal/OSHA poster Safety and Health Protection on the Job.
- Being aware of Cal/OSHA standards, calling the local district office for information.
- Reporting hazardous conditions to the employer.
- Reporting any job-related injury or illness to the employer and seeking prompt treatment.
- Cooperating with Cal/OSHA enforcement personnel during an inspection if they inquire about safety and health conditions in the workplace.
- Exercising worker rights under the California Occupational Safety and Health Act.

## Employer Responsibilities

### An employer has the responsibility to:

- Establish, implement and maintain an Injury and Illness Prevention Program, and periodically update it to keep employees safe.
- Inspect the workplace to identify and correct unsafe and hazardous conditions.
- Make sure employees have and use safe tools and equipment, and properly maintain the tools and equipment.
- Use color codes, posters, labels or signs to warn employees of potential hazards.
- Establish or update operating procedures and communicate them so that employees follow safety and health requirements.
- Provide medical examinations and training when required by Cal/OSHA standards.
- Report immediately by telephone or telegraph to the nearest DOSH district office any serious injury, illness or death of an employee occurring in a place of employment or in connection with any employment.
- If you employ 11 or more employees and are not exempt, you must keep records of work-related injuries/illnesses on the Cal/OSHA Log 300 (or equivalent) and post an annual summary (Form 300A) from 1 February through 30 April each year.
- Post at a prominent location within the workplace the Cal/OSHA poster Safety and Health Protection on the Job informing employees of their rights and responsibilities.
- If requested, provide employees, former employees and their representative's copies of the Forms 300 and 300A, by the end of the next business day.
- Provide employee medical and exposure record access to employees or their authorized representatives.
- Provide to Cal/OSHA enforcement personnel the names of authorized employee representatives who may be asked to accompany them during an inspection.
- Not discriminate against employees who exercise their rights under the California Occupational Safety and Health Act.
- Post Cal/OSHA citations at or near the work area involved. Each citation must remain posted until the violation is corrected or for three working days, whichever is longer. Post abatement verification documents or tags.
- Correct cited violations by the deadline set in the Cal/OSHA citation and submit the required abatement verification.

## Department of Industrial Relations posters required of California employers

—phone 415-703-5070 for:

- Industrial Welfare Commission Orders— request applicable industry/occupation poster
- Pay Day Notice—poster DLSE-8
- Cal/OSHA poster—English, Spanish—Safety and Health Protection on the Job

All of the posters and publications listed here are free of charge.

To order, telephone the Education Unit of Cal/OSHA

Consultation Service at 916-574-2528, or write to:

**Cal/OSHA Research and Education Unit, 2211 Park Towne Circle, Suite 4, Sacramento, CA 95825.**

Workplace safety and health information is also available 24 hours a day on the Internet:

<http://www.dir.ca.gov/dosh/puborder.asp>

## General Information

- DOSH Requirements for: Permits, Registrations, Certifications and Notifications
- User's Guide to Cal/OSHA

## Job Safety Pamphlets

- Job Safety: What You Should Know (Chinese)
- Job Safety: What You Should Know (English)
- Job Safety: What You Should Know (Korean)
- Job Safety: What You Should Know (Spanish)
- Job Safety: What You Should Know (Tagalog)
- Job Safety: What You Should Know (Vietnamese)

## Agriculture

- Agricultural-Industrial Tractors (English)
- Agricultural-Industrial Tractors (Spanish)
- Derechos de los Trabajadores Agrícolas (Farm Workers' Rights) (Spanish only)
- Farm Labor Contractors Guide (English)
- Farm Labor Contractors Guide (Spanish)

## Bloodborne Pathogens

- A Best Practices Approach for Reducing Bloodborne Pathogens Exposure
- Don't Risk Your Health (English)
- Don't Risk Your Health (Spanish)
- Don't Risk Your Health (Tagalog)
- Exposure Control Plan for Bloodborne Pathogens

## Confined Space

- Confined Space: Is it Safe to Enter?

## Construction

- Construction Safety and Health Inspection Project Poster (English/Spanish)
- Fall Protection-Construction Summary Packet
- Pocket Guide for the Construction Industry
- Pocket Guide for the Construction Industry—Spanish

## Construction Ergonomics

- Ergonomic Survival Guide for Carpenters and Framers
- Ergonomic Survival Guide for Carpenters and Framers (Spanish)
- Ergonomic Survival Guide for Cement Masons
- Ergonomic Survival Guide for Cement Masons (Spanish)
- Ergonomic Survival Guide for Electricians
- Ergonomic Survival Guide for Electricians (Spanish)
- Ergonomic Survival Guide for Laborers html
- Ergonomic Survival Guide for Laborers (Spanish)
- Ergonomic Survival Guide for Sheet Metal Workers
- Ergonomic Survival Guide for Sheet Metal Workers (Spanish)
- Keys to Success and Safety for the Construction Foreman
- Keys to Success and Safety for the Construction Foreman (Spanish)

## Consultation

- On-Site Cal/OSHA Consultation at Your Workplace

## Electrical

- Electric Power Interruptions and Employee Safety
- Electrical Safety
- Electrical Sewer Inspection Cameras

## Environmental Tobacco Smoke

- Assembly Bill 13-Smokefree Workplace

## Ergonomics

- A Guide to Selecting Non-Powered Hand Tools
- Back Injury Prevention Guide in the Health Care Industry for Health Care Providers
- Easy Ergonomics
- Ergonomics for Very Small Business—Auto Repair (Poster)
- Ergonomics for Very Small Business—Auto Repair (Poster) (Chinese)

- Ergonomics for Very Small Business—Auto Repair (Poster) (Spanish)
- Ergonomics for Very Small Business—Auto Repair (Poster) (Tagalog)
- Ergonomics for Very Small Business—Auto Repair (Poster) (Vietnamese)
- Ergonomics for Very Small Business—Auto Repair (Poster) (Russian)
- Ergonomics for Very Small Business—Child Care Providers (Poster)
- Ergonomics for Very Small Business—Child Care Providers (Poster) (Chinese)
- Ergonomics for Very Small Business—Child Care Providers (Poster) (Russian)
- Ergonomics for Very Small Business—Child Care Providers (Poster) (Spanish)
- Ergonomics for Very Small Business—Child Care Providers (Poster) (Tagalog)
- Ergonomics for Very Small Business—Child Care Providers (Poster) (Vietnamese)
- Ergonomics for Very Small Business—Cosmetology (Poster)
- Ergonomics for Very Small Business—Cosmetology (Poster) (Chinese)
- Ergonomics for Very Small Business—Cosmetology (Poster) (Korean)
- Ergonomics for Very Small Business—Cosmetology (Poster) (Spanish)
- Ergonomics for Very Small Business—Cosmetology (Poster) (Tagalog)
- Ergonomics for Very Small Business—Dental Offices (Poster)
- Ergonomics for Very Small Business—Dry Cleaners (Poster)
- Ergonomics for Very Small Business—Dry Cleaners (Poster) (Korean)
- Ergonomics for Very Small Business—Dry Cleaners (Poster) (Spanish)
- Ergonomics for Very Small Business—Health Care (Poster) (Spanish)
- Ergonomics for Very Small Business—Health Care (Poster) (Tagalog)
- Ergonomics for Very Small Business—Health Care (Poster)
- Ergonomics for Very Small Business—Landscaping (Poster)
- Ergonomics for Very Small Business—Landscaping (Poster) (Spanish)
- Ergonomics for Very Small Business—Landscaping (Poster) (Vietnamese)
- Ergonomics for Very Small Business—Restaurant and Bar (Poster)
- Ergonomics for Very Small Business—Restaurant and Bar (Poster) (Chinese)
- Ergonomics for Very Small Business—Restaurant and Bar (Poster) (Spanish)
- Ergonomics for Very Small Business—Restaurant and Bar (Poster) (Tagalog)
- Ergonomics for Very Small Business—Restaurant and Bar (Poster) (Vietnamese)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster) (Chinese)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster) (Korean)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster) (Spanish)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster) (Tagalog)
- Ergonomics for Very Small Business—Retail/Wholesale (Poster) (Vietnamese)
- Ergonomics in Action a Guide to Best Practices for the Food-Processing Industry
- Ergonomics in Action a Guide to Best Practices for the Food-Processing Industry (Spanish)
- Fitting The Task To The Person: Ergonomics for Very Small Businesses
- Fitting The Task To The Person: Ergonomics for Very Small Businesses (Spanish)
- Four Step Ergonomics Program for Employers w/ VDTs.html

#### **Fact Sheets**

- Cal/OSHA Field Sanitation Fact Sheet
- Lead in Construction
- New Respirator Regulation
- Safety Needles and Needleless Systems

#### **Hazard Alerts**

- Ethylene Gas Explosion
- Health Alert in the Granite Countertop Industry
- Health Alert in the Granite Countertop Industry(Spanish)

#### **Hazard Communication**

- Guide to California Hazard Communication Regulation

### **Injury and Illness Prevention Program**

- For Employers with Intermittent Employees
- For Employers with Intermittent Workers (Spanish)
- For Employers With Intermittent Workers in Agriculture (English)
- For Employers With Intermittent Workers in Agriculture (Spanish)
- For High Hazard Employers.html
- For Non-High Hazard Employers
- Guide to Developing Your Workplace Injury & Illness Prevention Program

### **Janitors**

- Working Safer and Easier for Janitors Custodians and Housekeepers
- Working Safer and Easier - Poster 1
- Working Safer and Easier - Poster 2
- Working Safer and Easier - Poster 3
- Working Safer and Easier - Poster 4
- Working Safer and Easier - Poster 5
- Working Safer and Easier - Poster 6
- Working Safer and Easier - Poster 7
- Working Safer and Easier - Poster 8
- Working Safer and Easier - Poster 9

### **Lockout/Blockout**

- Lockout/Blockout
- Lockout/Blockout (Spanish)

### **Posters**

- Access to Medical and Exposure Records (poster)
- Access to Medical and Exposure Records (poster)
- Agricultural Safety & Health Poster (English/Spanish)
- California Posting Requirements
- Emergency Telephone Numbers (poster)
- Operating Rules for Industrial Trucks (poster) (English)
- Operating Rules for Industrial Trucks (poster) (Spanish)
- Safety and Health Protection On The Job (Cal/OSHA Poster) (English)
- Safety and Health Protection On The Job (Cal/OSHA Poster) (Spanish)

### **Recordkeeping**

- 1 Cal/OSHA Log Form 300
- 2 Cal/OSHA Form 301
- 3 Cal/OSHA Form 300A
- 4 Cal/OSHA Forms 300, 301 and 300A
- Brief Guide to Recordkeeping Requirements
- Differences between Cal/OSHA and Federal OSHA Recordkeeping

### **Respiratory Protection**

- Respiratory Protection in the Workplace

### **Stress**

- Managing Stress Arising from Work

### **Tailgate/Toolbox Topics**

- High Voltage Overhead Lines
- Lockout/Blockout
- Power Press Safety
- Roofing Safety Slips & Falls
- Roofing Safety, General Requirements
- Servicing Single, Split Rim & Multi-Piece Rim Wheel
- Setting Up A Tailgate/Toolbox Safety Meeting
- Trenching Safety

### **Workplace Security**

- Guidelines for Security & Safety of Health Care and Community Service Workers
- Guidelines for Workplace Security
- Model Injury & Illness Prevention Program for Workplace Security

### **Young Workers**

- Are You a Teen Working in Agriculture? Protect Your Health Know Your Rights
- Are You a Teen Working in Agriculture? Protect Your Health Know Your Rights (Spanish)
- Are You a Working Teen? Protect Your Health Know Your Rights
- Are You a Working Teen? Protect Your Health Know Your Rights (Spanish)
- Facts for Employers Safer Jobs for Teens
- Facts for Employers Safer Jobs for Teens

If you cannot contact an office through the listing given here, check your telephone directory for the current address and phone number under: California, State of, Department of Industrial Relations, Division of Occupational Safety and Health or Cal/OSHA Consultation Service—or check the Internet listing at <http://www.dir.ca.gov/dosh> online.

## Cal/OSHA Consultation Service

<b>Headquarters:</b>	2424 Arden Way–Suite 485, Sacramento CA 95825	(916) 263-5765
<b>Regional Office:</b>	2424 Arden Way–Suite 485, Sacramento CA 95825	(916) 263-5750
<b>On-site Assistance Offices:</b>		
Fresno/Central Valley	1901 North Gateway Blvd., Ste. 102, Fresno, CA 93727	(559) 454-1295
Oakland/Bay Area	1515 Clay Street, Ste. 1103, Oakland, CA 94612	(510) 622-2891
Sacramento/Northern California	2424 Arden Way, Ste. 410, Sacramento, CA 95825	(916) 263-0704
San Bernardino	464 West 4th Street, Ste. 339, San Bernardino, CA 92401	(909) 383-4567
San Diego/Imperial Counties	7575 Metropolitan Dr., Ste. 204, San Diego, CA 92108	(619) 767-2060
San Fernando Valley	6150 Van Nuys Blvd., Ste. 307, Van Nuys, CA 91401	(818) 901-5754
Santa Fe Springs/L.A./Orange	10350 Heritage Park Dr., Ste. 201, Santa Fe Springs, CA 90670	(562) 944-9366
<b>Other Consultation Service Units:</b>		
Cal/Voluntary Protection Program:	1515 Clay Street, Ste. 1190, Oakland, CA 94612	(510) 622-1081
Research and Education Unit:	2211 Park Towne Circle, Ste. 4, Sacramento, CA 95825	(916) 574-2528

## Division of Occupational Safety & Health

<b>Headquarters:</b>	1515 Clay Street, Ste. 1901, Oakland, CA 94612	(510) 286-7000
<b>Regional Offices:</b>		
Santa Rosa	1221 Farmers Lane–Suite E, Santa Rosa CA 95405	(707) 576-2419
Sacramento	2424 Arden Way–Suite 125, Sacramento CA 95825	(916) 263-2803
Anaheim	2100 East Katella Ave.–Suite 125, Anaheim CA 92806	(714) 939-8611
West Covina	1906 West Garvey Ave. South–Suite 200, West Covina CA 91790	(626) 472-0046
<b>Economic and Employment Enforcement Coalition Unit</b>		
	680 Knox Street, ste. 100, Torrance, CA 90502	(310) 516-3734
	7575 Metropolitan Dr. Ste. 207, CA 92108	(619) 767-2280

### Cal/OSHA District Offices:

Anaheim	2100 East Katella Ave.–Suite 140, Anaheim CA 92806	(714) 939-0145
Concord	1465 Enea Circle–Bldg. E, Suite 900, Concord CA 94520	(925) 602-6517
Foster City	1065 East Hillsdale Blvd.–Suite 110, Foster City CA 94404	(650) 573-3812
Fremont/San Jose	39141 Civic Center Drive, Suite 310, Fremont, CA 94538	(510) 794-2521
Fresno	2550 Mariposa St.–Room 4000, Fresno CA 93721	(559) 445-5302
Los Angeles	320 West 4th St.–Room 850, Los Angeles CA 90013	(213) 576-7451
Modesto	1209 Woodrow–Suite C-4, Modesto CA 95350	(209) 576-6260
Oakland	1515 Clay St.–Suite 1301, Oakland CA 94612	(510) 622-2916
Monrovia/Pico Rivera	750 Royal Oaks Drive, Ste 104, Monrovia, Ca 91016	(626) 256-7913
Sacramento	2424 Arden Way - Ste. 165, Sacramento CA 95825	(916) 263-2800
San Bernardino	464 West Fourth St.–Suite 332, San Bernardino CA 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr.–Suite 207, San Diego CA 92108	(619) 767-2280
San Francisco	121 Spear Street, Ste. 430, San Francisco CA 94105	(415) 972-8670
Santa Rosa	1221 Farmers Lane–Suite 300, Santa Rosa CA 95405	(707) 576-2388
Torrance	680 Knox St.–Suite 100, Torrance CA 90502	(310) 516-3734
Van Nuys	6150 Van Nuys Blvd.–Suite 405, Van Nuys CA 91401	(818) 901-5403
Ventura	1655 Mesa Verde Ave.–Room 125, Ventura CA 93003	(805) 654-4581
West Covina	1906 West Garvey Ave. South–Ste 200, West Covina CA 91790	(626) 472-0046

### Occupational Safety & Health Standards Board

2520 Venture Oaks Way–Suite 350, Sacramento CA 95833  
(916) 274-5721

### Occupational Safety & Health Appeals Board

2520 Venture Oaks Way–Suite 300, Sacramento CA 95833  
(916) 274-5751



**Legal/Bureau of Investigations**

Los Angeles	320 West 4th St.—Room 400, Los Angeles CA 90013	
	Legal (213) 576-7700 — Bureau of Investigations (213) 576-7482	
Oakland	1515 Clay Street, Ste. 1901, Oakland CA 94612	
	Legal (510) 286-7348 — Bureau of Investigations (510) 286-6999	

**Elevator, Ride & Tramway**

<b>Headquarters:</b>	2100 East Katella Ave., Ste. 280, Anaheim, CA 92806	(714) 456-1872
Oakland - Plan Review Section	1515 Clay Street, Ste. 1306, Oakland, CA 94612	(510) 622-2597

**Elevator:**

Anaheim	2100 East Katella Ave.—Suite 250, Anaheim CA 92806	(714) 939-7741
Glendale	710 South Central Ave.—Suite 300, Glendale CA 91204	(818) 551-2999
Oakland	1515 Clay St.—Suite 1306, Oakland CA 94612	(510) 622-3026
Sacramento	2424 Arden Way—Suite 320, Sacramento CA 95825	(916) 263-2830
San Bernardino	464 West 4th St.—Suite 325, San Bernardino CA 92401	(909) 889-6395
San Diego	7575 Metropolitan Dr.—Suite 203, San Diego CA 92108	(619) 767-2050
San Francisco/North Bay	121 Spear Street, Ste. 420, San Francisco, CA 94105	(415) 703-5250
San Jose	6980 Santa Teresa Blvd., Suite 130, San Jose CA 95119	(408) 362-2120

**Amusement Ride:**

Anaheim	2100 East Katella Ave.—Suite 280, Anaheim CA 92806	(714) 456-1872
Sacramento	2424 Arden Way—Suite 340, Sacramento CA 95825	(916) 263-3511

**Permanent Amusement Ride Certification:**

Sacramento	2424 Arden Way—Suite 300, Sacramento CA 95825	(916) 274-5709
------------	---	----------------

**Tramway:**

Truckee	10800 Donner Pass Road, Suite 104, Truckee CA 96161	(530) 587-2792
---------	---	----------------

**Pressure Vessel**

<b>Headquarters:</b>	1515 Clay St.—Suite 1302, Oakland CA 94612	(510) 622-3052
Anaheim	2100 East Katella Ave.—Suite 145, Anaheim CA 92806	(714) 939-0434
Oakland	1515 Clay St.—Suite 1302, Oakland CA 94612	(510) 622-3066

**Mining & Tunneling**

<b>Headquarters:</b>	1367 East Lassen Ave.—Suite B-4, Chico CA 95973	(530) 895-6938
<b>District Offices</b>		
Chico - Mine Safety Training	1367 East Lassen Ave.—Suite B-4, Chico CA 95973	(530) 895-6938
Sacramento No. 1	2211 Park Towne Circle—Suite 2, Sacramento CA 95825	(916) 574-2540
Van Nuys No. 2	6150 Van Nuys Blvd.—Room 310, Van Nuys CA 91401	(818) 901-5420
San Bernardino No. 3	464 West 4th St.—Suite 354, San Bernardino CA 92401	(909) 383-6782

**High Hazard Compliance**

Regional Office:	2100 East Katella Ave.—Suite 100, Anaheim CA 92806	(510) 622-3009
Northern California:	1515 Clay St.—Suite 1303, MS#40, Oakland CA 94612	(510) 622-3009
Southern California:	2100 East Katella Ave.—Suite 110, Anaheim CA 92806	(714) 935-2720

**Asbestos Consultant & Trainer Approval**

2211 Park Towne Circle—Suite 1, Sacramento CA 95825	(916) 574-2993
---	----------------

**Asbestos Contractors Registration/Occupational Carcinogen Control**

1515 Clay Street, Ste. 1901, Oakland CA 94612	(510) 286-7362
---	----------------

**Crane Certifier Accreditation**

2100 East Katella Ave.—Suite 100, Anaheim CA 92806	(714) 939-8478
--	----------------

**Hazard Evaluation System & Information Service (HESIS)**

HESIS provides information to workers, employers and health professionals about the health effects of toxic substances and how to use them safely. (510) 620-5757



## **EXHIBIT 4**

---

---

# On-site Cal/OSHA Consultation at Your Workplace

---



---

## *What an on-site Cal/OSHA consultation is*

Employers in California who want help in identifying and correcting safety and/or health hazards in their workplace can obtain the free, on-site technical assistance of consultants from the Cal/OSHA Consultation Service.

Although enforcement and consultation are both functions of the Division of Occupational Safety and Health (DOSH), the Consultation Service is separate and distinct from the enforcement branch.

Cal/OSHA Consultation Service's voluntary assistance program helps employers solve safety and health problems in the workplace through cooperative efforts instead of enforcement. A consultation visit is never automatic or unexpected—an employer must request it.

During an on-site consultation, consultants do not issue citations or assess penalties for work practices or conditions noted that violate state occupational safety and health standards. However, an employer does have a legal obligation to eliminate any hazard of which he/she becomes aware.

There is also protection for employers who use the Consultation Service. Neither the employer's identity, nor reports or correspondence resulting from on-site consultations, are available to DOSH enforcement offices for use in scheduling routine compliance inspections.

Another important feature of the consultation program is that employers with fixed facilities who have 250 or

fewer employees can now exempt themselves from routine DOSH compliance inspection for one year—if they have had a full Cal/OSHA Consultation Service survey and are actively participating in a voluntary compliance program.

Although assistance from the Consultation Service is available to all California employers, when scheduling consultations priority is given to requests from smaller businesses, and from companies in high-hazard industries.

The Cal/OSHA Consultation Service is staffed with experienced professional safety engineers and industrial hygienists, who can survey a workplace with a critical eye and apply their expertise in identifying and eliminating occupational hazards, taking into consideration the special problems or unique operations of a firm.

A consultation is not necessarily limited to a physical survey of a workplace to uncover violations of the Cal/OSHA standards. The consultant can also analyze work practices and point out those that are likely to result in employee illness or injury.

The consultant may also recommend preventive measures to improve a firm's occupational injury and illness record—such as labor-management safety and health committees, poster displays, training programs to alert employees to hazards, ongoing employee safety and health meetings.

The only obligation an employer must accept in order to receive free on-site consultation assistance is to agree to correct, in a timely manner, any serious job safety and health hazards found during the course of the consultation visit.

The employer must agree to this before a consultant can begin the actual on-site consultation.

*Usually a consultation involves:*

- an opening conference with management to explain the employer's rights and obligations
- a walkthrough survey to evaluate the mechanical, physical and environmental hazards of the workplace and work practices, and the present job safety and health program
- a closing conference with management to discuss the conditions noted during the survey and to make recommendations
- a written report outlining the conditions found and any recommendations or agreements made
- a follow-up visit, if appropriate, to assure that any necessary corrections have been made.

## **2:Employer request for consultation**

An employer may request assistance from any of the Cal/OSHA Consultation Service offices throughout the state by telephone, letter, or in person (see back of brochure for addresses and telephone numbers).

The request may be for a complete review of the firm's safety and health conditions, for assistance or information concerning a specific problem, or both. The assigned consultant will contact the employer, usually by telephone, to listen to the employer's needs and to set up a time and date for the on-site consultation.

## **3:Opening conference**

When the consultant arrives at the worksite for the scheduled visit, he/she reviews with the employer the role of the Consultation Service in providing the requested assistance. The consultant explains the relationship between the Cal/OSHA Consultation Service, the Division of Occupational Safety and Health (DOSH) and federal OSHA.

The employer is advised of his/her obligation to protect employees if serious hazard conditions are identified by the consultant during the survey.

The consultant also suggests that an employee representative participate in the walkthrough of the workplace. Informed and alert employees can more easily work with the employer in an ongoing job safety and health program to identify and correct potential injury and illness hazards.

The employer is expected to allow the consultant to confer with employees as needed during the course of the walkthrough, because a worker's description of a particular job or operation may reveal a potential hazard associated with a process or work practice that might otherwise be overlooked.

## **4:Walkthrough**

Together the employer or his/her representative, an employee representative if provided, and the consultant examine conditions in the workplace. In particular, the consultant studies specific conditions or operations indicated by the employer.

Where appropriate, the consultant also points out safety or health risks that might not be covered by the

Cal/OSHA standards, yet nevertheless pose safety or health risks to employees.

In a complete review of a company's operations, the consultant looks for mechanical and physical hazards by examining the condition of the buildings and grounds, building floors, stairs, exits, and fire protection.

The consultant reviews the facility's layout and checks for: adequate space in aisles and between machines, storage conditions, equipment such as forklifts, control of electrical hazards and proper application of machine guards.

The consultant evaluates the measures being used to limit employee exposure to environmental hazards such as toxic substances, corrosives, and especially airborne contaminants. The consultant also examines the use of personal protective equipment and notes any problems that employees may face from exposure to noise, vibration, extreme temperatures, unusual lighting and other working conditions.

Where appropriate, the consultant takes samples for laboratory analysis to determine airborne or surface contaminants, or toxic components of materials used in the workplace.

Work practices, including use, care and maintenance of hand tools and portable power tools, and general housekeeping are also reviewed.

The consultant will want to discuss ongoing programs for employee training, safety and health orientation and procedures, and maintenance and repair of equipment.

Management and employee attitude toward safety and health are evaluated, as well as current injury and illness data. The consultant may also review records or minutes of safety and health committees, safety and

health meetings, and any in-plant safety and health inspection programs.

In rare instances, the consultant may find during the walkthrough a situation that poses an imminent danger to employees. In such cases, the consultant advises the employer of the need to take immediate action to protect affected employees.

## **5:Closing conference**

Following the walkthrough, the consultant and employer meet in a closing conference, during which the consultant reviews with the employer any new practices that need to be established and those currently being used that are not effective. The employer and consultant discuss problems, possible solutions, and correction methods or means to control any hazards that may have been identified during the walkthrough.

If hazards judged to be serious violations under Cal/ OSHA criteria are found, the consultant works with the employer to develop a mutually acceptable plan and schedule to eliminate or control those hazards. Consultants can offer general approaches and options, and when appropriate, suggest sources for additional technical assistance. Cal/OSHA consultants are not allowed to provide any in-depth engineering or design services themselves. The consultant may offer suggestions for establishing or strengthening the company's safety and health program - including such aspects as employee training, supervision, safety and health committees, and a variety of ways to promote safety and health.

## **6:Follow-through & correction**

Following the closing conference, the consultant will send the employer a written report that explains the findings and confirms the correction periods agreed upon, when applicable. The consultant may also contact the employer from time to time to check on the progress being made in correcting any unsafe condition found. The employer, of course, is free to contact the consultant for additional assistance at any time.

Ultimately, the law does require the employer to correct any safety or health hazard. The purpose of the consultation visit is to achieve the objective of the Cal/OSHA law "employers furnishing employment and a place of employment which is safe and healthful for the employees therein.

If an employer fails or refuses to eliminate or control a serious hazard or any imminent danger identified by the consultant according to the plan and within the limits agreed upon that situation would have to be referred by the Consultation Service to the Division of Occupational Safety and Health enforcement unit for review and action as appropriate. This has occurred only rarely in the past."

## **7:Benefits to employers & employees**

The more an employer learns about the potential hazards in his/her company's operations and ways to eliminate them, the better the employer will be able to meet the legal obligations of ensuring employee on-

the-job safety and health. The resulting benefit to employees is a safer and more healthful place in which to work.

The Cal/OSHA Consultation Service program enables the employer to obtain free professional advice and assistance for establishing or strengthening the entire workplace safety and health program, thereby making safety and health a routine consideration instead of a crisis-oriented response.

## **8:Accidents are expensive**

Occupational injuries and illnesses are costly to both the company and its employees. It is the goal of the Cal/OSHA Consultation Service to provide assistance for keeping these unnecessary costs at a minimum.

### **Costs to employers include:**

- increased compensation insurance premiums
- medical expenses
- legal expenses
- wages paid to injured employees who are not producing
- wages paid to non-injured employees who stop production to assist after the accident or stop to watch/talk about it, or who need the output normally provided by the injured worker
- damaged or spoiled materials
- replacement of damaged tools or equipment
- overtime work necessary to make up for lost production
- supervisory and administrative personnel time away from their normal activities, as a result of the accident
- time required of administrative and clerical personnel while investigating the accident,

- processing forms, settling claims
- recruiting and training new employees to replace the injured worker, either temporarily or permanently
- reduced production of new or substitute employees
- reduced production of the injured employee when first returning to work
- public liability claims
- loss of contracts or cancellation of orders
- effects of the accident on the company's image and public relations
- effect on employee morale, or the need to increase wage rates to retain workers for the particular operation
- legal costs for a contested case—preparing the case, providing witness workers and supervisors, judgments, settlements, appeals

#### **Costs to employees include:**

- permanent effects of the accident on the health or well-being of the injured worker
- reduction of earnings while recuperating from an accident
- reduction of earnings if the injury or illness affects the worker's ability to perform at the pre-accident level
- reduction of worker's productive work years
- destruction of morale if the accident results in a long term handicap
- hardship to the worker's family

### **9: On-site, consultants will:**

- Help employers identify hazards in the workplace.
- Suggest general approaches or options for solving a safety or health problem.
- Identify kinds of help available to employers if further technical assistance is needed.
- Provide employers with a written report summarizing the findings of a consultation.
- Assist employers in establishing or improving their workplace injury and illness prevention programs.
- Work with the employer in developing and conducting safety and health training of his/her employees.

### **10: On-site, consultants will NOT:**

- Issue citations or propose penalties for violations of Cal/OSHA standards.
- Report violations found to the DOSH enforcement unit, unless the employer fails to cooperate in eliminating them.
- Guarantee that any workplace will pass a DOSH inspection.
- Develop specific engineering designs or recommend a specific private firm to solve problems.
- Reveal trade secrets or release information on specialized processes or operations.

#### **How to get help:**

For information and services, contact your nearest area office of the Cal/OSHA Consultation Service. Call our toll free number: (800) 963-9424

**Northern California**  
2424 Arden Way, Suite 410  
Sacramento, CA 95825  
(916) 263-0704

**San Francisco Bay Area**  
1515 Clay Street, Suite 1103  
Oakland, CA 94612  
(510) 622-2891

**Central Valley**  
1901 North Gateway Boulevard, Suite 102  
Fresno, CA 93727  
(559) 454-1295

**San Fernando Valley**  
6150 Van Nuys Boulevard, Suite 307  
Van Nuys, CA 91401  
(818) 901-5754

**Los Angeles**  
10350 Heritage Park Drive, Suite 201  
Santa Fe Springs, CA 90670  
(562) 944-9366

**San Bernardino, Orange**  
464 W. 4th Street, Suite 339  
San Bernardino, CA 92401  
(909) 383-4567

**San Diego**  
7575 Metropolitan Drive, Suite 204  
San Diego, CA 92108  
(619) 767-2060



State of California  
Gray Davis, Governor  
Steven J. Smith  
Director of Industrial Relations

## **EXHIBIT 5**



# NORTHERN DIVISION HEADQUARTERS

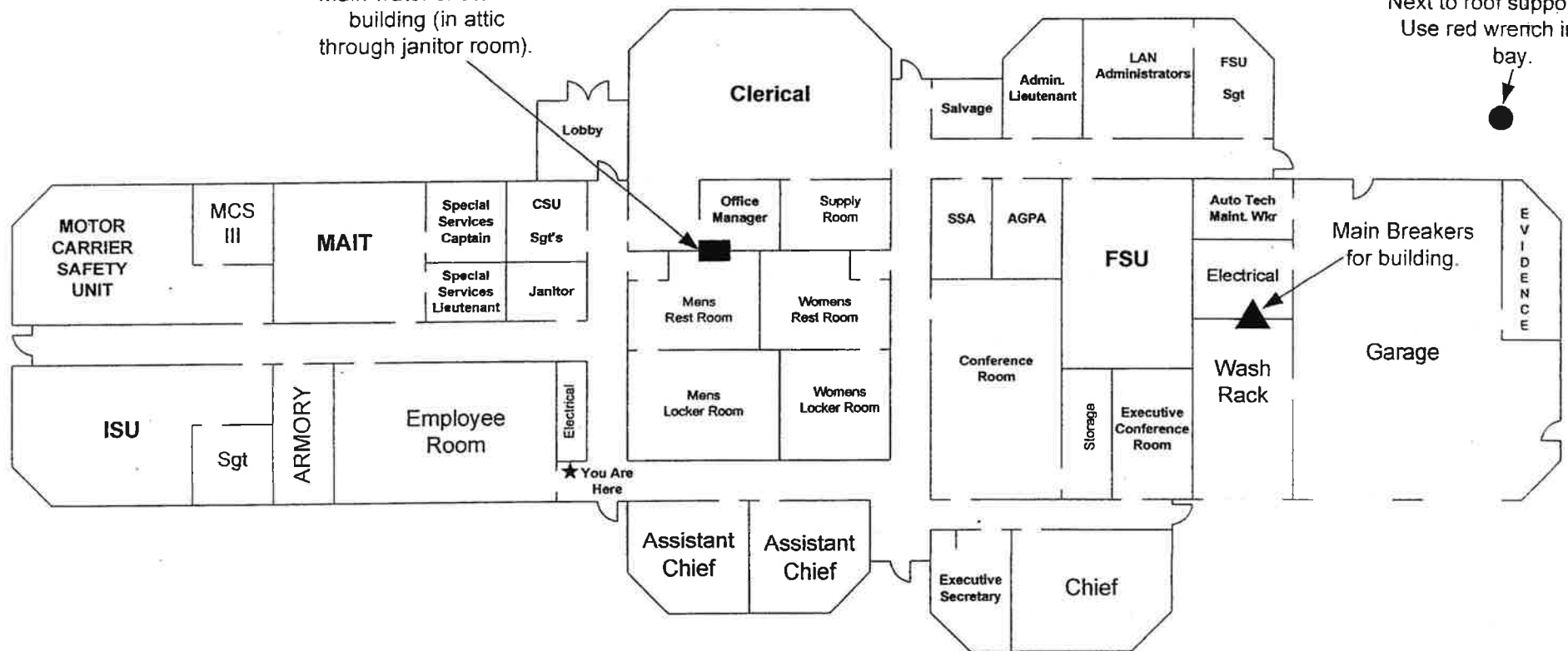
## UTILITY SHUT-OFF LOCATIONS



Water shutoff to building.  
Use blue wrench located  
inside auto shop entrance.

Main water shutoff for  
building (in attic  
through janitor room).

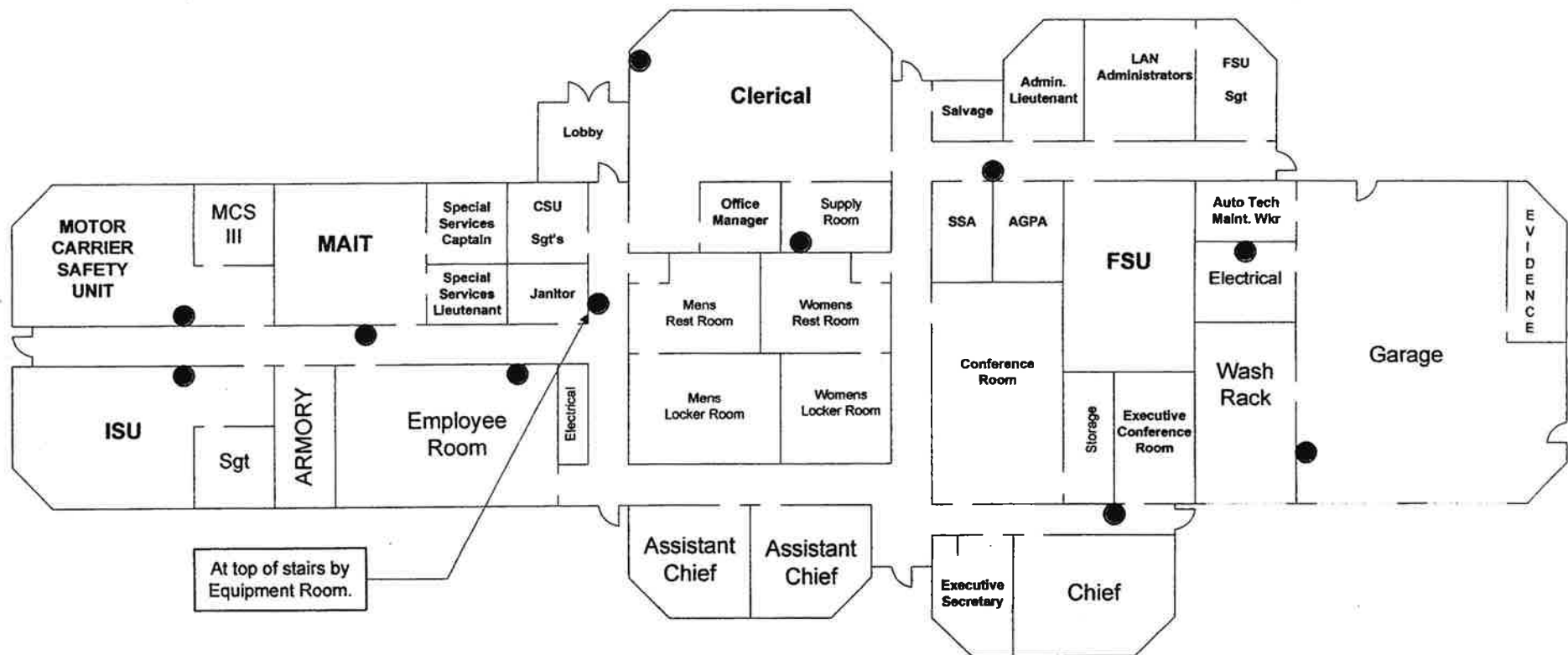
Next to roof support pilla  
Use red wrench in auto  
bay.



Gas Shut-off Valve = ●  
Electrical Main Breaker = ▲  
Water Shut-off Valve(s) = ■

# NORTHERN DIVISION HEADQUARTERS

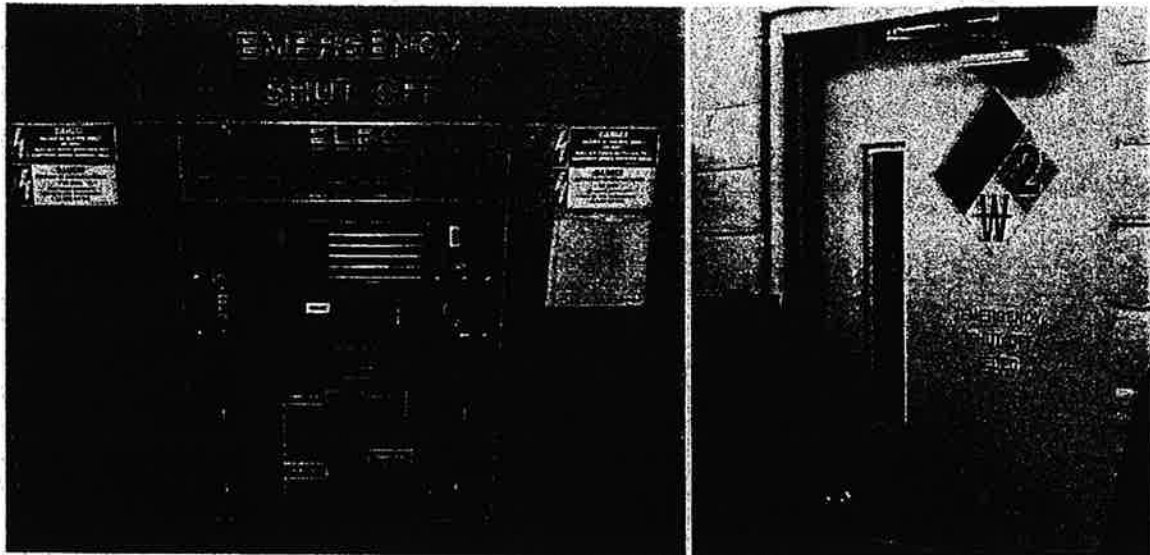
## FIRE EXTINGUISHER LOCATIONS



Extinguishers = ●

REVISED 4/2007\*

Annex 4-E



### #1 Emergency Shut Off Electricity

The door to the buildings main electrical panel is located on the interior of the West side wall of the Auto Bays by the Auto Tech's office.

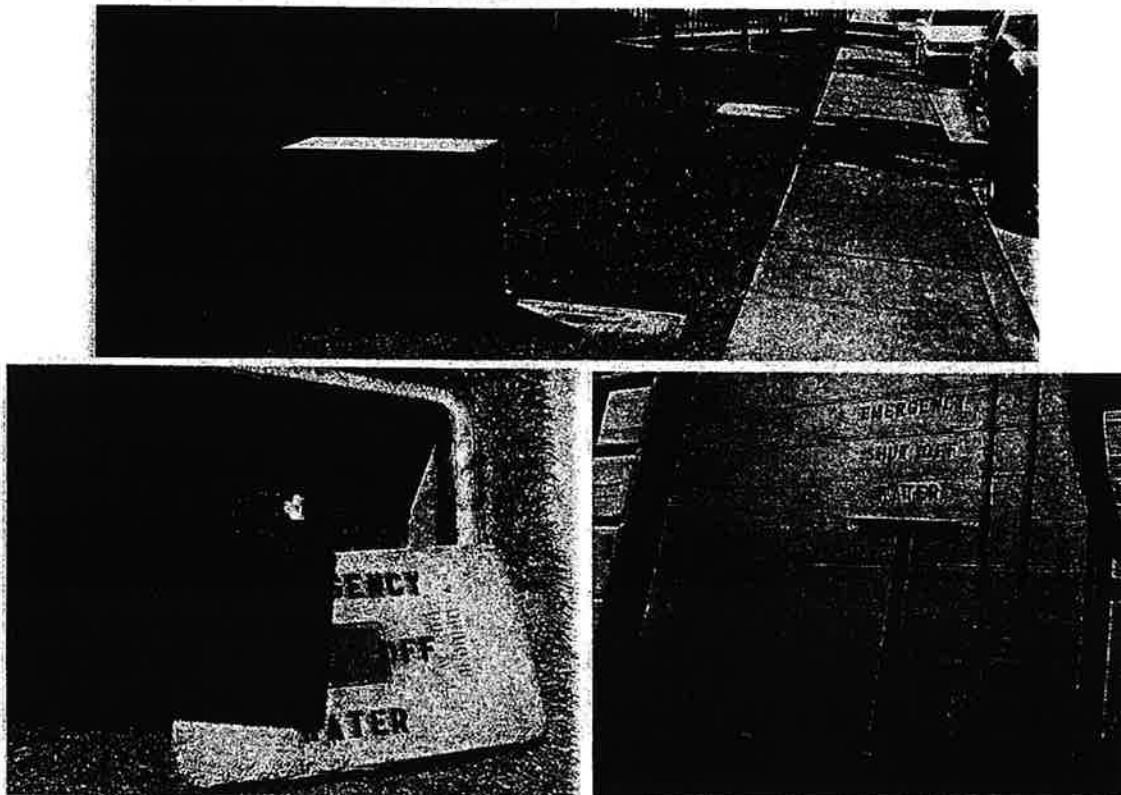
The door is always unlocked.

As you enter the room the main electrical panel can be seen to the left just passed the building's heater system.

The large breaker marked "MAIN" can be pushed to the right to kill all power in the entire Northern Division office.

\*Note that the breaker is spring loaded and will require some force to push it.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs



## #2 Emergency Shut Off Water

The water meter and valve are located on the North side of the main building just off the side walk by a large green metal box.

The concrete inspection lid will have to be removed to gain access to the shut off valve.

\*Note that the concrete inspection lid is very heavy.

Once exposed the shut off valve is painted red for easy identification.

With the Emergency Shut Off Water Tool rotate the valve clock wise  $\frac{1}{4}$  turn. There is an arrow indicating water flow on the valve.

\*Note that rotating the valve past  $\frac{1}{4}$  to  $\frac{1}{2}$  turn will open it again!

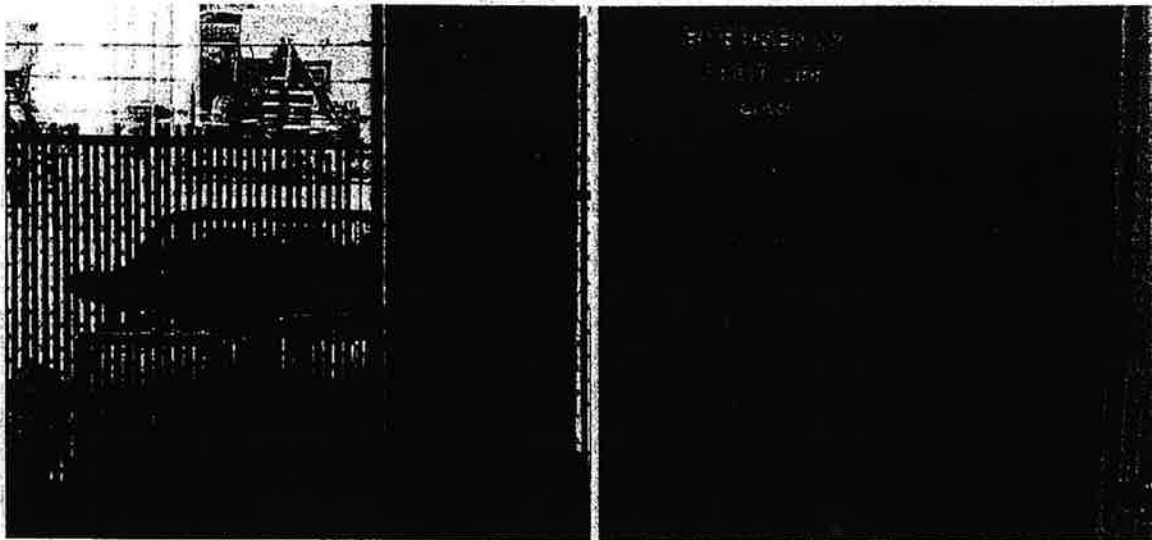
\*Note that the shut off valve is very hard to rotate and may require two people to operate the shut off tool!

The Emergency Shut Off Water Tool is located inside and to the left of the back door of the Auto Bays building (North side of building). The tool is painted blue.

\*Note that the door is always locked and requires a # 2 (or higher) clearance key to open it.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs

ANNEX 4-D(2)



### #3 Emergency Shut Off Natural Gas

The natural gas meter and valve are located externally off of the North East corner of the Auto Bays building at the grass line.

It can be seen straight ahead as you pass through the North East door of the main office building (by LT Saxon's office).

The shut off valve is located to the left of the meter and is painted red for easy identification.

With the Emergency Shut Off Gas Tool rotate the valve either way  $\frac{1}{4}$  turn to close the valve.

\*Note that turning the valve past  $\frac{1}{4}$  to  $\frac{1}{2}$  turn will open it again!

\*Note that the shut off valve is hard to rotate.

The Emergency Shut Off Gas Tool is located to the right just inside the back door of the Auto Bays building (North side of building).

\*Note that the door is always locked and requires a # 2 (or higher) clearance key to open it.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs

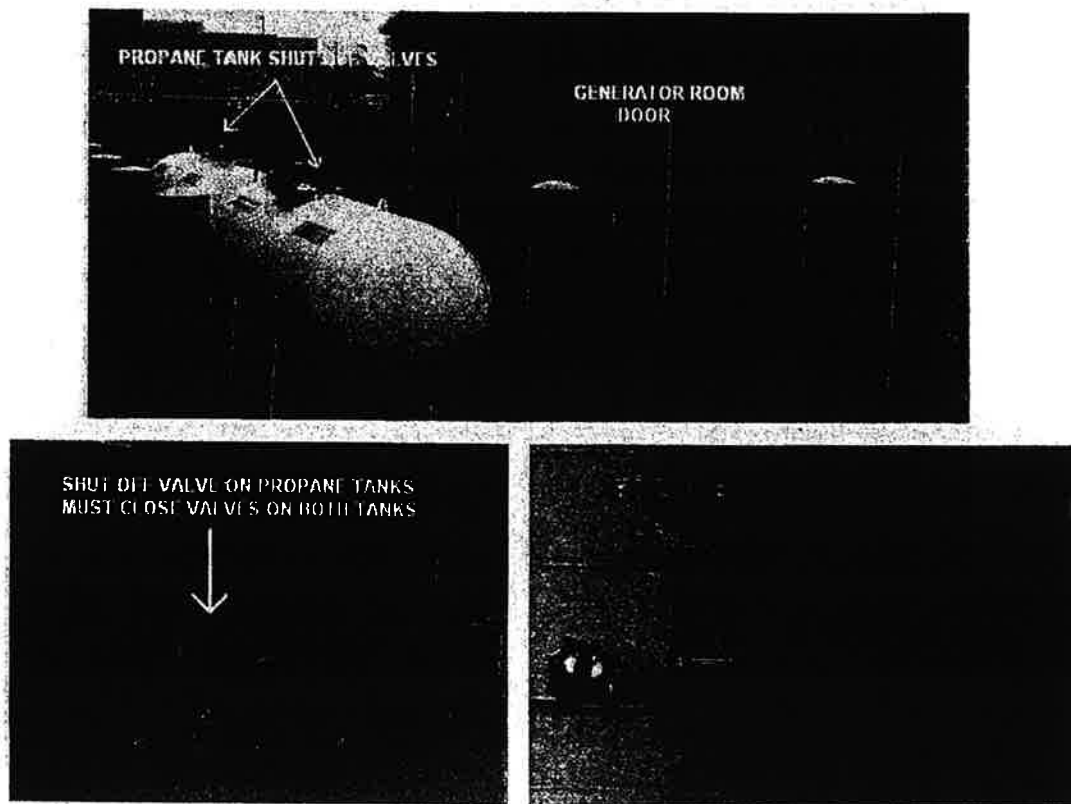


#### #4 Emergency Shut Off Gas Pumps

The emergency panel switch is located on the exterior of the South East corner of the Auto Bays.

The switch handle is painted red and can be easily pulled down to cut off all electrical power to the gas pumps.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs



#### #5 Emergency Shut Off Propane

The propane gas emergency shut off valve is located inside the Generator Room.

\*Note that the door is always locked and requires a # 2 (or higher) clearance key to open it.

The lever to the valve is painted red and can be easily located straight ahead as you enter the room.

\*Note that the emergency shut off valve is hard to rotate.

The propane gas can also be shut off at the propane tanks by using the shut off valves on both tanks.

\*Note that both tanks have to be shut off to stop the flow of propane when shutting the gas off this way.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs



#### #6 Emergency Shut Off Fuel Tank

The gasoline fuel tank fluid shut off valve is located at the top of the tank on the South end of the tank. The valve is painted red. The valve can only be reached with the extension ladder that is located in the automotive bays by the North door.

\*Please note that the emergency shut off switch for the gas pumps is the main shut off for this system. The fluid shut off valve should only be used if gasoline continues to flow out of the system after the emergency shut off switch has been thrown.

ALL EMERGENCY SHUT OFF PAGES CAN BE FOUND AT  
I:\101\Emergency Shut Offs

ANNEX 4-D(6)



## **EXHIBIT 6**

---

# MATERIAL SAFETY DATA SHEET BINDER

---

## TABLE OF CONTENTS

<b>1. INTRODUCTION.....</b>	<b>#1</b>
How to Use This Binder.....	#1
What Are Material Safety Data Sheets.....	#1
<hr/>	
<b>MATERIAL SAFETY DATA SHEET INFORMATION.....</b>	<b>#2</b>
OSHA Requirements.....	#2
<hr/>	
<b>MSDS FILING SYSTEM.....</b>	<b>#3</b>
Introduction.....	#3
Labeling of Hazardous Substances.....	#3
Method Used to Organize the MSDS.....	#3
<hr/>	
<b>SAFETY RULES AND PROCEDURES.....</b>	<b>#4</b>
Where is the MSDS Inventory Log Kept?.....	#4
Injury Illness Prevention Plan.....	#4
Emergency Contingency Plan.....	#5
Request for Exposure Records.....	#5
<hr/>	
<b>2. GLOSSARY OF COMMON MSDS TERMS.....</b>	<b>TABBED</b>
<b>3. MATERIAL SAFETY DATA SHEET DEFINITIONS.....</b>	<b>TABBED</b>
<b>4. REQUEST MSDS - CHP 188.....</b>	<b>TABBED</b>
<b>5. HAZARDOUS SUBSTANCE INVENTORY - CHP 189.....</b>	<b>TABBED</b>
<b>6. AREA'S LIST OF CHEMICALS.....</b>	<b>TABBED</b>
<hr/>	
<b>MATERIAL DATA SAFETY SHEETS.....</b>	<b>TABBED</b>

---

Acids/Alkaline.....	TABBED
Explosive Substance.....	TABBED
Fuels.....	TABBED
Janitorial Supplies.....	TABBED
Lubricants.....	TABBED

---

---

## **MATERIAL SAFETY DATA SHEET BINDER**

---

### **TABLE OF CONTENTS**

(Continued)

---

---

<b>MATERIAL DATA SAFETY SHEETS</b> (Continued).....	<b>TABBED</b>
Paints/Coatings.....	<b>TABBED</b>
Pesticides.....	<b>TABBED</b>
Reactives.....	<b>TABBED</b>
Solvents.....	<b>TABBED</b>
Miscellaneous.....	<b>TABBED</b>

---

## **EXHIBIT 6A**

---

## INTRODUCTION

**T**his MSDS Binder provides a convenient place to obtain information regarding Hazardous Material products regularly stored at the Traffic Management Center. The binder is currently kept in the Sergeant's Office and all employees can access it whenever a question or an emergency arises.

### HOW TO USE THIS BINDER

**T**he MSDS Binder includes a product group indexing system for storing MSDSs for easy access. MSDSs are first grouped alphabetically on the CHP 189 - Hazardous Substances Inventory. MSDSs are then grouped by product class (i.e., Janitorial Supplies).

**A**n MSDS Glossary of technical terms is also included which defines many of the terms often found on MSDSs. The terms are explained in simple language and will make MSDSs easier to read and more useful.

**T**he Material Safety Data Sheet (MSDS) is a detailed information bulletin prepared by the manufacturer or importer of a chemical that describes the physical and health hazards, physical and chemical properties, routes of exposure, precautions for safe handling and use, emergency and first-aid procedures, and control measures.

**C**onsumer products packaged for public use (standard containers of cleansers, bleaches, etc.) are excluded as are pesticides, hazardous wastes (regulated by Environmental Protection Agency), food, drugs, and cosmetics used by employees.

### WHAT ARE MATERIAL SAFETY DATA SHEETS?

---

The MSDSs are a comprehensive source of information for all types of employers. Concentrate on the information that is applicable to your situation. There may be information on the MSDS that is not useful to you or not important to the safety and health at the Traffic Management Center. Concentrate on the information that is applicable to your situation. Generally, hazard information and protective measures should be the focus of concern.

Information on an MSDS aids in the selection of safe products and helps prepare employers and employees to respond effectively to daily exposure situation as well as to emergency situations.

Employers must maintain a complete and accurate MSDS for each hazardous chemical that is used in the facility. If there are multiple suppliers of the same chemical, there is no need to retain multiple MSDSs for that chemical.

The "Right to Know" laws require that each Area office of the California Highway Patrol have a complete and current inventory of hazardous materials. After reviewing the contents of the MSDS Manual annually, some employees are surprised to find that the Traffic Management Center has hundreds of hazardous materials in our operation.

Remember that the hazardous property may appear only when the product is being used (like welding rods) or only when a product is mixed with other materials or under conditions of fire or extreme heat. The hazardous properties of some materials change when they are mixed with other materials.

## **MATERIAL SAFETY DATA SHEET INFORMATION**

### **OSHA REQUIREMENTS**

---

**T**o assist employees with identification of hazardous materials at the workplace, it is required that all labels on containers must identify the hazardous substance(s), provide hazard warning statements, and show the name and address of the manufacturer.

**I**f hazardous substances are transferred from original containers to portable or stationary containers, the secondary containers must be labeled as stated above. Although an MSDS is not required for substances packaged for general consumption, many of these products do constitute a hazard. Therefore, labels must be read and directions followed.

**T**he majority of the material in this binder will be Material Safety Data Sheets received from the manufacturer, distributor or jobber whenever the Traffic Management Center has purchased a new product that is considered a hazardous material.

**F**or the purpose of organizing the MSDS binder, the Material Safety Data Sheets are divided into ten common Product Group categories. The Product Group categories are the most common kinds of hazardous materials used at the Traffic Management Center.

**M**aterial Safety Data Sheets for each hazardous material are kept in the Sergeant's Office at the TMC. If an MSDS is not available for a particular material, contact the Occupational Safety Coordinator.

## **MSDS FILING SYSTEM**

### **INTRODUCTION**

### **LABELING OF HAZARDOUS SUBSTANCES**

### **WHAT METHOD IS USED TO ORGANIZE THE MSDSs?**

---

---

## **SAFETY RULES AND PROCEDURES**

**A**ll hazardous material containers, including secondary containers, those missing the manufacturer's supplied label or stationary process containers, will be labeled. The TMC Occupational Safety Committee Members will monitor and update the TMC labeling procedures at least quarterly and ensure that a completed label is attached to all hazardous material containers.

**T**he Occupational Safety Committee Members are responsible for maintaining one bulletin boards at the Area office. The Occupational Safety Bulletin board, located in the hallway, displays general workplace information and an MSDS inventory log of hazardous substances used at the Area. The second bulletin board is located in the briefing room. This bulletin board is updated quarterly and contains information regarding information and/or potential hazards specifically for the Traffic Management Center.

**S**afe practice and procedural rules are contained in the Traffic Management Center's Injury Illness Prevention Plan (IIPP). If retaining or re-instruction is required, the Traffic Management Center's Occupational Safety Committee Members are committed to disseminating this information as soon as practical.

**A**ll employees are required to review the TMC's Injury Illness Prevention Plan annually. The IIPP is located in the Sergeant's Office. The Area's Occupational Safety Coordinator is responsible for updating this plan and associated procedures as conditions, materials and facilities change.

### **WHERE IS THE MSDS INVENTORY LOG KEPT?**

### **INJURY ILLNESS PREVENTION PLAN**



In the event of an emergency, employees are required to immediately notify their supervisor. Supervisors, or other trained personnel, shall insure that appropriate first aid is provided. Supervisors, if necessary, shall arrange for prompt treatment from an authorized physician or medial facility.

The Occupational Safety Bulletin Board located in the hallway contains a posted list of emergency services for the Traffic Management Center (STD 621).

In accordance with General Industry Safety Order (GISO) 3204, employees, their physicians, and/or collective bargaining unit representatives have the right to receive and copy:

- The employee's medical records and records of exposure to toxic substances or harmful physical agents.
- Records of exposure to hazardous substances or harmful physical agents of other employees with work conditions similar to the employee's.
- The physical agents are defined on the back of the OSHA 200 log.
- MSDS or other information that exists for chemicals or substances used in the workplace or to which employees may be exposed.

## **SAFETY RULES AND PROCEDURES**

(Continued)

### **EMERGENCY CONTINGENCY PLAN**

### **REQUEST FOR EXPOSURE RECORDS?**

## **EXHIBIT 6B**

---

This Glossary lists the most important terms used on Material Safety Data Sheets. If you do not understand a word or its meaning, ask your manager or supervisor for help.

## **GLOSSARY OF COMMON MSDS TERMS**

### **Absorption:**

The movement of a hazardous chemical through the skin into the blood stream.

### **Acid:**

An inorganic or organic compound that 1) is usually corrosive to human tissue and must be handled with care; 2) has a pH of less than 7.0; 3) neutralizes bases (alkalis) to form salts; 4) dissociates in water yielding hydrogen or hydronium ions; 5) may react with metals to yield hydrogen; and 6) turns litmus paper red.

### **Alkali:**

An inorganic or organic chemical that; 1) is usually corrosive to human tissue and must be handled with care; 2) has pH of more than 7.0; 3) neutralizes acids to form salts; 4) dissociates with water yielding hydroxide ions; 5) turns litmus paper blue, and 6) may also be called a base or caustic.

### **Boiling Point:**

The temperature at which a liquid becomes a gas.

### **Catalyst:**

A chemical which changes the rate of the reaction among other chemicals.

### **Ceiling or ©:**

The concentration that should not be exceeded during any part of working exposure.

### **Chronic:**

Symptoms of adverse effects which develop over a long period of time or which recur frequently.

### **Combustible:**

A material whose flash point is at or above 100 degrees Fahrenheit. The amount of hazardous material in the air or another substance. For example "PPM" or "Parts Per Million" describes the parts of one material in one million parts of another.

---

---

## **GLOSSARY OF COMMON MSDS TERMS**

(Continued)

### **Corrosive:**

A chemical that causes visible destruction of or irreversible alterations in living tissue by chemical action at the site of contact, or which causes a severe corrosion rate in steel or aluminum.

### **Decomposition Products:**

Products released when a material is exposed to aging, heating, burning, air or is allowed to react with another material.

### **Evaporation Rate:**

The time it takes a given amount of a material to completely dry up compared to ether (which evaporates very quickly) or to butylacetate (which evaporates very slowly).

### **Explosive:**

A material that produces a sudden, almost instantaneous release of pressure, gas, and heat when subjected to abrupt shock, high temperature, or an ignition source.

### **Flammable:**

A material whose flash point is below 100 degrees Fahrenheit.

### **Flammable (Explosive) Limits (LEL and UEL):**

Upper and lower limits between which materials will burn in air.

### **Flash Point:**

The temperature at which a flammable liquid produces enough vapor to burn.

### **Incompatibility:**

Indicates materials you should not mix or store with other materials to avoid an undesirable reaction.

### **Ingestion:**

Taking by mouth, or swallowing.

### **Inhalation:**

Breathing vapor, fumes or dust from a material.

### **Inhibitor:**

A chemical which, when added to another, reduces the chances of a reaction.

### **Oxidizing Agent:**

A material that gives off oxygen in a chemical reaction.

---

---

**Permissible Exposure Limit (PEL):**

Maximum concentration of a chemical in the air to which repeated exposure will not result

**Polymerization:**

One type of reactivity. A reaction which may result in an intense release of heat or energy.

**Reactivity:**

The ability of a material to undergo a reaction which releases energy or heat.

**Short Term Exposure Limit (STEL):**

Refers to recommended limits for short term exposure, even where exposure over an eight hour period is within limits.

**Solubility:**

The tendency of a material to resist undesirable chemical changes during storage or transport.

**Solvent:**

A material that can dissolve other materials to form an uniform single-phase mixture. Water is the most common solvent.

**Threshold Limit Value (TLV):**

Recommended exposure limits over an eight hour work period under which there are no adverse health effect.

**Vapor Density:**

The weight of a vapor compared with an equal volume of air. If less than one, the vapor will rise in air. If greater than one, it will tend to sink in air.

**Vaporization.**

The change of a substance from a liquid to a gas.

**Vapor Pressure:**

A high vapor pressure indicates a liquid will evaporate easily.

**Volatile Percent:**

The percentage of a liquid or solid that evaporates at room temperature. The higher the percentage, the faster the material evaporates. Fast evaporation means greater danger.

## **GLOSSARY OF COMMON MSDS TERMS**

(Continued)

# **EXHIBIT 6C**

# **MATERIAL SAFETY DATA SHEET DEFINITIONS**

## **Excerpts from U.S. Department of Labor, Hazard Communication Standard**

### **A Compliance Kit**

#### **Introduction**

The Material Safety Data Sheet (MSDS) is a detailed information bulletin prepared by the manufacturer or importer of a chemical that describes the physical and health hazards, physical and chemical properties, routes of exposure, precautions for safe handling and use, emergency and first-aid procedures, and control measures. Information on an MSDS aids in the selection of safe products and helps prepare employers and employees to respond effectively to daily exposure situations as well as to emergency situations.

The MSDSs are a comprehensive source of information. There may be information on the MSDS that is not useful to you or not important to the safety and health in your particular operation. Concentrate on the information that is applicable to your situation. Generally, hazard information and protective measures should be the focus of concern.

#### **OSHA Requirements**

Employers must maintain a complete and accurate MSDS for each hazardous chemical at the facility. There is no need to retain multiple MSDSs for multiple suppliers of the same chemical.

#### **Sections of an MSDS and Their Significance**

OSHA specifies the information to be included on an MSDS, but does not prescribe the precise format for an MSDS. A non-mandatory MSDS form (see blank OSHA Form 174 at the end of this section) that meets the Hazard Communication Standard requirements has been issued and can be used as is or expanded as needed. The MSDS must be in English and must include at least the following information.

#### **Section 1. Chemical Identity**

- The chemical and common name(s) must be provided for single chemical substances.
- An identity on the MSDS must be cross-referenced to the identity found on the label.

#### **Section 11. Hazardous Ingredients**

- For a hazardous chemical mixture that has been tested as a whole to determine its hazards, the chemical and common names of the ingredients that are associated with the hazards, and the common name of the mixture must be listed.
- If the chemical is a mixture that has not been tested as a whole, the chemical and common names of all ingredients determined to be health hazards and comprising 1 percent or greater of the composition must be listed.
- Chemical and common names of carcinogens must be listed if they are present in the mixture at levels of 0.1 percent or greater.
- All components of a mixture that have been determined to present a physical hazard must be listed.
- Chemical and common names of all ingredients determined to be health hazards and comprising less than 1 percent (0.1 percent for carcinogens) of the mixture must also be listed if they can still exceed an established Permissible Exposure Limit (PEL) or Threshold Limit Value (TLV) or present a health risk to exposed employees in these concentrations.

#### **Section III. Physical & Chemical Characteristics**

- The physical and chemical characteristics of the hazardous substance must be listed. These included items such as boiling and freezing points, density, vapor pressure, specific gravity, solubility, volatility, and the product's general appearance and odor. These characteristics provide important information for designing safe and healthful work practices.

#### **Section IV. Fire and Explosion Hazard Data**

- The compound's potential for fire and explosion must be described. Also, the fire hazards of the chemical and the conditions under which it could ignite or explode must be identified. Recommended extinguishing agents and fire-fighting methods must be described.

**MATERIAL SAFETY DATA SHEET DEFINITIONS**  
**Excerpts from U.S. Department of Labor, Hazard Communication Standard**  
**A Compliance Kit**

---

**Section V. Reactivity Data**

- This section presents information about other chemicals and substances with which the chemical is incompatible, or with which it reacts. Information on any hazardous decomposition products, such as carbon monoxide, must be included.

**Section V1. Health Hazards**

- The acute and chronic health hazards of the chemical, together with signs and symptoms of exposure, must be listed. In addition, any medical conditions that are aggravated by exposure to the compound, must be included. The specific types of chemical health hazards defined in the standard include carcinogens, corrosives, toxins, irritants, sensitizers, organs (i.e., liver, kidney, nervous system, blood, lungs, mucous membranes, reproductive system, skin, eyes, etc.).
- The route of entry section describes the primary pathway by which the chemical enters the body. There are three principal routes of entry: inhalation, skin, and ingestion.
- This section of the MSDS supplies the OSHA PEL, the American Congress of Governmental Industrial Hygienists TLV, and other exposure levels used or recommended by the chemical manufacturer.

- If the compound is listed as a carcinogen (cancer-causing agent) by OSHA, the National Toxicology Program (NTP), or the International Agency for Research on Cancer (IARC), this information must be indicated on the MSDS.

**Section V11. Precautions for Safe Handling and Use**

- The Hazard Communication Standard requires the preparer to describe the precautions for safe handling and use. These include recommended industrial hygiene practices, precautions to be taken during repair and maintenance of equipment, and procedures for cleaning up spills and leaks. Some manufacturers also use this section to include useful information not specifically required by the standard, such as EPA waste disposal methods and state and local requirements.

**Section V111. Control Measures**

- The Hazard Communications Standard requires the preparer of the MSDS to list any generally applicable control measures. These include engineering controls, safe handling procedures, and personal protective equipment. Information is often included on the use of goggles, gloves, body suits, respirators, and face shields.
-



## **EXHIBIT 6D**

## **Inventory List of Chemicals**

### **Acids / Alkaline:**

1. Aero Clean.....(Champion Chemical Corp.)
2. Battery, "C & D".....(General Brand)
3. Bio T - Hand Cleaner.....(Hand Cleaner with Pumice)
4. Bowl Block Toiler .....(Big D Para Block #900, ..)
5. Bowl Buster.....(Brison Industry)
6. Bowl Cleaner.....(Oxford Chemicals, Inc.)
7. CCC - 128.....(Champion Chemical Corp.)
8. Drano Liquid.....(Drackett Company)
9. Eveready Battery, Alkaline.....(Energizer Industrial)
10. Eveready Battery, "Misc. Battery sizes A, AA etc.,".....(Energizer Industrial)
11. Jump Start, All Purpose Cleaner .....(Brandbridge Co.)
12. Kleen-Quat, Anatomic Soap.....(Unit Chemical Corp.)
13. Mildew Stain Remover.....(Zep - Mildew Stain Remover)
14. Nik - Drug Test Equip.....(#12 MSDS Nik - Drug Test Equipment)
15. Purple Thunder, Heavy Duty Cleaner.....(Champion Chemical Co.)
16. Safe Cleaner (Acid).....(Champion Chemical Co.)
17. Tile Grout, Powder.....(Bondex International Inc.)
18. Tough Job, Detergent.....(Prison Industry Authority)

### **Explosive Substance:**

1. Blast It.....(Champion Chemical Co. )
2. Cartridges, Small Arms Round.....(Remington Arms)
3. Centerfire Ammunition - 9mm.....(Olin - Handgun Ammo)
4. Centerfire Rifle Loaded Round.....(Olin - Rifle Ammo)
5. Fusee / Flares.....(Orion Marine Signal Products)
6. Lead Shot - Shot Gun Projectile.....(Remington Arms)
7. Shotshell Loaded Round.....(Olin - Shotgun Round)
8. Small Arms Ammunition - 357 Cal.....(Remington Arms)
9. Small Arms Ammunition - 40 Cal.....(Remington Arms)
10. 8 Gauge Industrial, Shotshell - Ammo .....(Olin - Shotgun Round)

### **Fuels:**

1. Brake Fluid.....(Chem-way Inc.)
2. Cal Gas Corporation, Propane.....(Propane)
3. Chevron Gasoline.....(Unleaded Gasoline)
4. RFG / Carb Gasoline.....(Ultramar, Inc. Unleaded Gasoline)

## **Janitorial Supplies:**

1. Acrylic Floor Finish.....(Ball Industries)
2. Acrylic Floor Sealer.....(Ball Industries)
3. All Pro, Bleach.....(Household Bleach)
4. Ammonia.....(Various Product Brands)
5. Bahama Breeze, Deodorant.....(Ball Industries)
6. Clear Plastic Acrylic Cleaner.....(W.W. Grainger)
7. Clorox, Bleach.....(Clorox Professional Products Co.)
8. Comet Liquid.....(Comet - Procter & Gamble)
9. Crystal Clear, Disinfectant.....(Champion Chemical)
10. Detergent, General Purpose.....(Zep MFG Co.)
11. Dust N Shine, Furniture Wax.....(Wilco Manufacturing)
12. Dust - Off Plus, Dust Remover.....(Falcon)
13. End Bac II, Disinfectant Deodorant Spray.....(S.C. Johnson)
14. Fast Flush, Toilet Cleaner.....(McKay Chemical)
15. Finish, Floor, Non-buff.....(Ball Industries)
16. Freedom Speed Stripper, Compound Liquid.....(S.C. Johnson Wax)
17. Gojo, Natural Orange Hand Cleaner.....(GOJO Industries)
18. Grout - Portland Cement, Polyblend.....(Custom Building Products)
19. In-Sight, Fragrance Disinfectant Aerosol.....(State Chemical MFG)
20. Lava Bar Soap.....(Procter & Gamble)
21. Lemon Up Aerosol, Furniture Polish.....(Ball Industries)
22. Lemon 64, Disinfectant Cleaner.....(Ball Industries)
23. Luron Pink Powder, Hand Soap.....(The Dial Corp.)
24. Luster Sheen, Floor Wax.....(Ball Industries)
25. Luster Sheen, Stainless Steel Cleaner.....(W.W. Grainger, Inc.)
26. Neutral Floor Cleaner.....(Ball Industries)
27. Pine 64, Disinfectant Cleaner.....(Ball Industries)
28. Pine -O-Quat, Disinfectant.....(Unit Chemical Corp.)
29. Plastic Cleaner, Cleaner.....(Loctite Corp.)
30. Plastic Cleaner, Permatex, Liquid... (Permatex Company Inc.) .....No MSDS
31. Pledge Aerosol - Lemon, Furniture Wax....(S.C. Johnson)
32. Savvy Soap, Hand Cleaner.... (White Gloves Inc.) .....No MSDS
33. Spyglass, Glass Cleaner.....(Ball Industries)
34. SP - 3 Cleaner, Compound Cleaning.....(Oxford Chemical)
35. Stay-N-Strip, Floor Wax Striper.....(Dymon, Inc.)
36. Windex, Glass Cleaner....(S.C. Johnson)
37. Versatile, Chloride.....(Champion Chemical Co.)
38. 3M Brand, Carpet Cleaner, Spot & Upholstery Cleaner....(3M Brand)

## **Lubricants:**

1. Air Tool Oil.....(Sta-Lube Inc.)
2. BioAct, Radiator Fluid.....(Petroferm Inc.)
3. Break - Free Clip Aerosol.....(Weapon Cleaner, Lubricant)
4. Break-Free Liquid.....(Weapon Cleaner, Lubricant)
5. Chevron, 400 Motor Oil Sae 30.....(Chevron Inc.)
6. High Performance Dot Brake Fluid.....(Ford Motor Co.)..... No MSDS
7. Transmission Fluid, Automatic.....(Motorcraft, Ford Motor Co.)
8. WD-40, Lubricant.....(WD-40 Company)
9. Pennzoil Mercon V. Auto. Transmission Fluid (Pennzoil Oil Co.).....No MSDS
10. Power Lube, Aerosol.....(CRC Industries, Inc.)
11. Power Steering Fluid.....(Chev., Ford, CRC Industries)
12. 76 Firebird LD Motor Oil 10W-30.....(76 Lubricant Co. .... No MSDS

## **Paints / Coatings:**

1. Battery Coat, Aerosol Battery Terminal Protector.....(Zep MFG. Company)
2. Black Developer.....(Copy Machine, Xerox Corp.)
3. Black Dry Ink / Toner Cartridge.....(Copy Machine, Xerox Corp.)
4. Black Toner.....(Copy Machine, Xerox Corp.)
5. Britex EZ-Wax, Liquid.....(Brogdex Co.) ..... No MSDS
6. Contact Cement.....(Dap Inc.)
7. Corrosive Resistant Primer, Paint Product.....(Sinclair Paint Co.)
8. Exterior Gloss Enamel, Paint.....(Sinclair Paint Co.)
9. Finish 2001 Paste, Car Wax.....("Turtle" Wax Inc.)
10. Fluorescent Glo Aerosol Spray Paint.....(Aervoe - Pacific Company, Inc.)
11. Fuser Oil.....(Copy Machine, Xerox Corp.)
12. Gloss Plate, Base Coat Reflection.....(Bay City Fuel)
13. Gloss Black Paint, Aerosol.....(Standard Product - Rust-Oleum Corp.)
14. Marking Paint Spray Paint.....(Aervoe-Pacific Company)
15. Paint, Exterior Gloss Enamel Paint.....(Sinclair Paint Co.)
16. Paint, Interior Semi-Gloss Enamel.....(Sinclair Paint Co.)
17. Paint, Quick Dry Enamel.....(Sinclair Paint Co.)
18. Paint, Semi Gloss Enamel.....(Sinclair Paint Co.)
19. Turtle Wax Super Hard Shell Liquid.....(Turtle Wax Inc.)
20. Weldwood Acrylic Latex Contact Cement.....(Dap Inc.)

## **Pesticides:**

1. Ant / Roach Killer 14 oz.....(Raid, S.C. Johnson)
2. Bug Barrie, Personal Insect Repellent.....(ARI).....No MSDS
3. Commercial Insect Killer.....(Raid, S.C. Johnson).....No MSDS
4. Crawling Insect Killer.....(Champion, Chase Products Company)
5. Flying Insect Killer.....(Raid, S.C. Johnson)
6. Lights Out Insecticide.....(W.W Grainger, Inc.)
7. Spider Spray Insecticide.....(Raid, S.C. Johnson)

## **Reactive:**

1. Capsaicinoids, Pepper Spray.....(First Defense Technology)
2. Oleoresin Capsicum, Pepper Spray.....(First Defense Tech.)
3. "CS", Tear Gas.....(Def-Tec Corporation)

## **Solvents:**

1. Adhesive Remover.....(Jasco Inc.)
2. Bio T Brake Cleaner.....(BioChem Systems)
3. *Bio T, Ultraclean, Indust. Cleaner/Degreaser... (Bio Chem Systems)..... No MSDS*
4. Brake Cleaner, Gunk Aerosol.....(Radiator Specialty Company)
5. Brakleen Aerosol, Solvent.....(CRC Industries)
6. Break-Free Dip Tank, Solvent Cleaner.....(Break-Free Inc.)
7. Carb and Brake Cleaner, 32152.....(CMC Industries Inc.)
8. Carb and Brake Cleaner, 61401.....(CMC Industries Inc.)
9. Carb-Medic Carburetor, Choke, Cleaner, Aerosol.....(Radiator Specialty Co.)
10. Cleaning Compound, Detergent.....(Zep MFG Co.)
11. Clean-R-Carb, Aerosol.....(CRC Industries)
12. Engine Brite Engine Cleaner, Degreaser.....(Radiator Specialty Co.)
13. Freedom Speed Stripper, Compound Cleaning Liquid.....(S.C. Johnson Wax)
14. Master De-Icer, Solvent.....(Master Chemical Corp.)
15. Misty Gelled Engine Degreaser.....(AMREP Inc.)
16. Paint Thinner.....(Kleen-Strip)
17. Safety-Kleen Premium Solvent - #6608.....(Safety-Kleen)
18. Safety-Kleen Premium Solvent - #6614.....(Safety-Kleen)
19. Safety-Kleen Premium Solvent - #105.....(Safety-Kleen)
20. Silicone Lubricant, Solvent Sprayon.....(CRC Industries)
21. *Strip-It-Clean, Paint, Varnish, Decal Remover (Aerosol) The Supply Station Inc.)..No MSDS*
22. *3-Way Spray, Aerosol, Degreaser.....(Luster Ca)..... No MSDS*

## **Miscellaneous:**

1. ABC Dry Chemical, Fire Extinguisher.....(Amerex Corporation)
2. Antifreeze & Coolant.....(Old World Industries, Inc.)
3. Antiseptic Spray Affirmed Medical.....(Creative Products Inc.)
4. Bug Barrier, Insect Repellent.....(ARI)
5. Elmers Glue, All Purpose.....(Elmers Products Inc.)
6. Foray Dry Chemical Extinguisher Agent, Fire Extinguisher.....(Ansul Fire Protection).
7. Glue Stick, White.....(3M MFG)
8. Simulator Solution, .....(U.S. Alcohol Testing of America Inc.)
9. Swift First Aid, Burn Antiseptic Spray.....(ARI)
10. *Pam, Aerosol.....(International Home Foods).....No MSDS*
11. Plant Pleaser, Correction Fluid.....(Evans International)
12. Polaroid - Spectra Film, Camera.....(Polaroid Corporation)
13. *Regina White Wine Vinegar.....(Nabisco Inc.) ..... No MSDS*
14. Vionex, Antiseptic Hand-wash, No Rinse Gel.....(Viro Research Int. Co.)
15. Windshield Washer, .....(Blue Coral, McKay Company)

## **EXHIBIT 7**

**M e m o r a n d u m**

Date: August 25, 2009

To: Assistant Commissioner, Inspector General

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Southern Division

File No.: 501.14888

Subject: INDUSTRY BEST PRACTICES- ABF FREIGHT SYSTEM, INC.

On August 5, 2009, Sergeant Denise Joslin, #15143, and Sergeant Jodi Legarra, #14888, met with Retired CHP Sergeant, John Williams, who is currently employed as a Safety and Security Regional Manager at ABF. The purpose of the meeting was to identify best practices currently in use by the company. In addition, Toby Ross, Manager of Safety Compliance and Training, telephonically participated in the meeting. Mr. Ross has 23 years of experience with ABF Freight System, Inc., 10 of which he has been in his current assignment.

**Background**

ABF Freight System, Inc., of Fort Smith, Arkansas, is one of North America's largest LTL (Less than truck load) carriers of general commodities. It now serves points and ports literally around the world. A rich history has unfolded as it has grown from a local carrier in 1923 to the motor carrier of international status it is today. The American Trucking Associations (ATA) recognized ABF Freight Systems, Inc. as the top motor carrier in security with their "Excellence in Security" award in 2001, 2004, 2005, and 2007. In addition, ABF was the winner of the ATA President's Trophy in 1984, 1989, 1993, and in 2003 for the best overall safety record and program. ABF has continuously ranked in the top three of the 27 largest LTL motor carriers within the US during the past 33 years.

**Safety Program Structure and 24/7 Emergency Response Line**

ABF Freight Systems, Inc. Management has focused ongoing effort towards developing and maintaining a solid, innovative, constant occupational safety program. The company maintains numerous Safety and Security Regional Managers nationwide, by geographic region. This practice allows for constant oversight, which ensures compliance at all levels. There is an emergency response number staffed by trained safety personnel, 24 hours per day, 7 days per week. In addition, there is strict monitoring of DOT safety regulations.

*Safety, Service, and Security*

### **Employee Database**

ABF Freight System, Inc. has an impressive self-built database program that sets them apart from others in the industry. This database has been a "work in-progress" during the past seven years and serves as a well maintained, up to date and easy to manage filing system. The database is also used as a tool to gather data and statistics in a timely, accurate manner. Examples of the types of storage fields used to maintain data are OSHA Forms, type of injuries sustained, date and time of occurrence, terminal locations, and employee information, which includes accidents, injuries, qualification, work history, employee personal information, awards, training, driving record and notes. In addition, there is a link to an "OSHA Requirements" reference page and a "Material Safety Data Sheet" (MSDS) reference page with a generic list of products. When an employee is either involved in a collision, sustains an occupational injury, or his/her required training expires, the employee's supervisor is sent an automated e-mail informing the supervisor of the occurrence. With each occurrence, the employee's supervisor discusses the incident with the employee in depth and determines preventability, among other factors.

### **Safety Training**

The company maintains continuous safety training for all employees, which includes specialized hazardous materials training, training through partnerships with customers and specialized training upon request. Equipment safety is maintained through shortened trade-in cycles and comprehensive routine maintenance programs. Vehicle condition reports are also reviewed daily.

Safety programs have been established, which include new employee safety orientation and video presentations. In years past, employee training was predominately hands-on; however, in 2009, the company developed video training, which all employees are required to watch. This ensures all employees receive the training. Other safety programs include yearly driver awards, incentive awards, safety dinners and driver monitoring. A Monthly Safety Meeting Program agenda is developed on an annual basis. After review of the previous year's history, the program is customized to retrain and educate employees in loss prevention techniques, placing emphasis on recurrence prevention. Periodic training is conducted to advise all affected employees of any new hazards introduced into the workplace. For further information, refer to Accident, Injury and Illness Prevention Program (Exhibit 7-A), Monthly Safety Meeting Program 2009 (Exhibit 7-B), Safety Incentive Awards (Exhibit 7-C), and ABF Driver Handbook (Exhibit D). Examples of the company's training plan for pandemic flu education and guidance for cleaning contaminated truck cabs are included (Exhibit 7-E).



ABF Freight Systems, Inc. has tracked its safety performance statistics from 1987 through 2007, with specific emphasis on vehicle accidents which occurred while driving, as well as during pick up and delivery. Additionally, the total miles and total city hours are tracked and compared with the number of personal injuries during the time and/or mileage tracked. The trend analysis indicates fewer collisions and injuries have occurred in recent years (Exhibit 7-F).

The primary focus is on driver safety, accomplished through the following:

- Strict hiring practices
- 25 years of age or older for road driver
- 21 years of age or older for city driver
- 10 years employment history verification
- Exemplary driving record
- Physical examination
- Motor vehicle review
- DOT alcohol / drug testing program

### **Point System**

An internal "Point System" is maintained for all employees who are involved in an on-duty traffic collision or occurrence. This system is similar to the existing California Department of Motor Vehicles Youth Point System. Occurrences generate negative points. The Point System also rewards employees with no occurrences during a 5 year period, who have accrued positive points. Such employees may receive special recognition, such as a plaque, home fire extinguisher, or other specialized safety equipment. Employees with point levels at or below zero are considered "at risk." As positive points are accrued, the following rating scale is used:

- 8 points = A
- 6 points = B
- 5 points = C
- 3 points = D

The Point System is not publicized or used to take disciplinary action. Only Mr. Ross and the Regional Safety and Security Managers have access to the Point System database. Non-supervisory employees are not aware of its existence, nor do they have access to it. The Point System is simply used as another tool to determine a need for behavioral modification through additional training

## **Facility Inspections**

On-site facility inspections are required for each terminal. The Safety and Security Regional Managers are responsible for ensuring these comprehensive terminal site inspections, using one of three criteria:

- Annual inspection of all terminals (minimum requirement)
- Semi-annual inspections, if terminal has fifty employees or greater
- Quarterly inspections for terminals that are deemed "high hazard"

The "high hazard" label is based on the number of injuries sustained at that location, following OSHA Codes. For example, four injuries for every one-hundred employees within a year time-frame would constitute a "high hazard" facility. In addition, if there are seven injuries for every one-hundred employees within a year time-frame, a safety committee is formed and the committee members meet on a quarterly basis to discuss safety related issues. To assist the Safety and Security Regional Manager with conducting site inspections, reference guides were developed and are used as a template. Each required inspection point in the guide includes a direct reference to the related OSHA Code; refer to Terminal Inspection, Reference Guide (Exhibit 7-G), Shop Inspection, Reference Guide (Exhibit 7-H), Terminal Inspection and Security (Exhibit 7-I), Required postings by Safety & Security Department (Exhibit 7-J).

## **Company Philosophy**

ABF is committed to not only protecting their customer's freight, but also ensuring their employees work in a safe and secure environment. The company's philosophy is accidents and injuries are against company policy and traffic collisions should never be acceptable as the cost of doing business.

J. J. LEGARRA  
Sergeant

## **EXHIBIT 7A**

## **ACCIDENT, INJURY AND ILLNESS PREVENTION PROGRAM**

**The following written program shall be a brief overview of the overall Safety & Security program, which is to be administered throughout all ABF facilities and is applicable to all ABF Employees.**

**The director of Safety and Security holds the authority for developing and changing the plan as he deems necessary, and all changes or suggestions for enhancing the plan must be submitted to the director in the following manner:**

**ABF Freight System, Inc.**

**Attention: Jim McFarlin**

**Director Safety and Security Department**

**P. O. Box 10048**

**Fort Smith, AR 72917-0048**

**Although the director has the ultimate authority for the administration of the plan, the local branch manager has the responsibility of ensuring the plan is in place and becomes part of the daily operation at the terminal level.**

**The plan is comprised of the following basic sections. However, the plan may be altered to include specific requirements for individual terminals as work practices mandate.**

**The fact that ABF has the health and well-being of all employees foremost in mind at all times, the following Accident and Injury Prevention Program shall be strictly adhered to at all ABF locations.**

### **Safety Policy**

**ABF Freight System, Inc., is committed to providing for the safety of our employees and the general public. Daily attention by all employees to identifying and controlling areas of risk will assure continuous improvement in achieving our commitment.**

**ABF Freight System, Inc., intends to comply with all applicable local, state, and federal safety requirements and regulations. Management is responsible to communicate the importance of safe work practices, be a good role model, and always correct unsafe conditions and behaviors. Failure to comply with established safe work practices can result in injuries, property damage, and vehicular accidents.**

**Following established procedures to help minimize losses is vital to us all. Safe work practices are everyone's responsibility. Your personal pledge to follow these expectations, and encouragements for other to do the same, is our highest goal. Dedication to this goal will help ensure our future success.**

### **NEW HIRE ORIENTATION:**

#### **Reporting**

**All affected employees must be trained and encouraged to report any hazardous conditions they encounter during the course of the daily assigned duties, whether the hazardous conditions exist at a company or a customer's facility.**

**Employees must be encouraged to communicate openly with management about any and all safety-related issues. Instruct employees to contact the Safety and Security hotline, which is available 24 hours a day, seven days a week, to report unsafe conditions. The hotline should also be used for reporting accidents, personal injuries, hazardous materials incidents, and loss of company assets.**

**All employees shall be instructed in their rights and the procedures for reporting to the Occupational Safety & Health Administration without fear of reprisal. The required federal or state poster explaining these rights must be posted in a conspicuous place for all employees to review. Many states have a self-administered state plan regarding Occupational Safety & Health matters such as California, Oregon and Washington. Employees must following the reporting procedures as identified on the required posters.**

#### **Training**

**Training of all new employees shall be conducted prior to their being assigned to their job task. Training will be conducted by local management, regional managers of safety and security, safety personnel from the general office, or a representative from the Training Department. Specific training is developed and designed for employees depending on**

their job classification and job assignment. Training for newly hired employees includes, but is not limited to, the following:

- Hazardous communication / Employee Right-to-Know
- Safely Handling Hazardous Materials (HM 181)
- Hazardous Materials Security
- Forklift (operators only)
- Loading trailers workshop
- Portable fire extinguishers
- Hooking / Unhooking Combination Trailers (if applicable)
- Accident and Injury reporting
- Safe and Proper Methods of City Driving (if applicable)
- Drug and Alcohol Awareness
- Accident and Injury Prevention
- Safe Lifting
- Emergency Evacuation
- Violence in the Workplace
- Federal Motor Carrier Safety Regulations

#### **CONTINUING EDUCATION AND TRAINING:**

##### **New Hazards**

Periodic training will be conducted, advising all affected employees of any and all new hazards introduced into the workplace. The branch manager shall contact the Safety and Security Department immediately whenever a new hazard is identified or brought to their attention by an employee.

Before implementing any new procedures, equipment, etc. into the workplace, the training needs of the employees shall be evaluated. If additional safety training is required, contact the Regional Manager of Safety and Security or the Safety and Security Department General Office.

All safety correspondence such as posters, memos, etc. shall be placed on the employee bulletin board for review. Additional copies of posters, etc. may be ordered by contacting the Safety and Security Department.

##### **Monthly Safety Meeting Program:**

The Monthly Safety Meeting Program will be developed on an annual basis. After review of the previous year's history, the program will be customized to retrain and educate employees in loss prevention techniques, placing an emphasis on preventing recurrence.

The program will consist of written and/or DVD presentations that are to be discussed during the required monthly safety meetings. Each month, at least one topic will be provided which may address both vehicular accidents and personal injury prevention. .

Although the topic(s) provided in the Monthly Safety Meeting Program must be discussed during the scheduled safety meeting, all employees must be encouraged to discuss additional safety issues at the scheduled meetings if they so desire. The monthly meetings must be used as a tool to promote safety and continually educate employees concerning safety and health.

#### **DOCUMENTATION AND RECORD KEEPING:**

At the completion of each education and training session, the proper documentation of training must be completed.

To access the new Monthly Safety Meeting Attendance Entry Screen:

- Go to the Intranet - Safety & Security Department - SAFENET.
- Locate the green Training bar. Click on Monthly Safety Meetings Attendance Entry Screen.
- Click the terminal number you choose, click the meeting month, then click training category.
- Select List Attendance button
- Click the side calendar to choose the class date, and enter instructors name
- Click either Attended Class, or Not Working box
- Click the Update button for immediate updates
- To exit, click the X in the top right corner or click on SAFENET to access another area in SAFENET

**Note:** Additional training may be required on a periodic bases. That training is recorded at the completion of the training session and the employee enters his/her Employee ID into a completion box and the end of the training.

#### **Inspections**

Inspections shall be conducted at all ABF locations. Either the regional manager of safety and security or a representative from the Safety and Security Department GO will conduct these inspections.

While performing the inspection, the inspector shall ensure that ABF is in compliance with all prevailing regulatory requirements. The inspector shall also make note of any and all health or safety-related issues either brought to their attention by employees or observed during the course of the inspection. Employees shall be encouraged to bring safety-related issues to the attention of the inspector. The inspector should interview and/or consult with touch labor employees to insure that safety issues are addressed in a timely manner by local management.

When deemed necessary, the safety department will develop a safety committee consisting of both touch labor and management at the facility to address specific safety issues that may present themselves.

#### **Reporting Procedures**

After the inspection has been completed, the inspector shall complete an inspection report making use of the itemized checklist provided and also provide any additional information in the comments section pertaining to any discrepancies noted.

The inspector shall consult with the branch/terminal manager, advising him/her of all discrepancies noted and the corrective action taken. The Terminal inspection Report will be distributed to the individuals and departments according to the distribution sequence provided at the bottom of the report.

#### **Abatement Procedure**

The branch/terminal manager will be deemed responsible for the abatement of any discrepancies noted and the corrective action taken.

Should the presence of a serious or imminent hazard to employees be discovered abatement must be taken immediately without exposing the employees to any existing or additional hazards.

#### **Employee Compliance**

ABF will not tolerate employees conducting themselves in an unsafe and unhealthy manner. ABF will insist that employees adhere strictly to company policy and prevailing regulations. Employees are subject to verbal reprimand and repeat violators may receive disciplinary measures.



The type of disciplinary action taken will be administered from a local basis depending on the work rules applied or a contractual agreement.

### **Incentive Awards**

All regularly employed ABF personnel will be included in the company-sponsored Safety Incentive Award Program. The program consist or annual awards given to all employees who have not had an accident or personal injury during the time period specified

The time period for the awards is normally a calendar year.

The awards will be selected by the Director of the Safety and Security Department and distributed from the General Office in a timely manner.

Additional and/or special incentive award may be presented on a periodic basis at the discretion of the director.

### **Accident and Injury control**

The Safety and Security Department monitors the effectiveness of the Loss Prevention Program and each personal injury on a case-by-case basis. Monthly composite totals are made available to the director for his review. At the discretion of the local manager or department director additional safety meeting or programs may be scheduled at specific locations throughout the system to assist the regional managers and local supervisory personnel in accident and injury control.

### **Goals**

The goals of the accident and injury prevention program are to control, manger and provide a safe work environment for all ABF employees. Individual goals may be assessed for each safety region within the company. Although any injuries must be taken seriously, if the injury numbers exceed a ratio of 4.00 (based on OSHA ratios on 100 employees) at a specific location, additional attention must given to that facility including additional site visits, additional safety meetings and additional quarterly inspections of the facility. Should the ratio exceed 7.00 as well as all the above listed requirements the regional manager of safety and security must also establish a safety committee at that facility. The goal of every safety manager is to prevent injuries period, but in any event a reduction is expected when measuring year over year.

Reviewed and updated—January 2009

## **EXHIBIT 7B**

# Monthly Safety Meeting Program

# 2009



ABF Freight System, Inc.  
Safety & Security Department  
Hotline 1-800-755-6486

## MONTHLY SAFETY MEETING INDEX

### ABF OFFICE

JANUARY .....	SECURITY VIOLENCE IN THE WORKPLACE
FEBRUARY .....	EMERGENCY EVACUATION PROCEDURES
MARCH .....	SLIPS AND FALLS
APRIL .....	HAZARDOUS MATERIAL SECURITY
MAY .....	PREVENTING SPRAINS AND STRAINS
JUNE .....	FIRE EXTINGUISHERS
JULY .....	CLOSE CALLS
AUGUST .....	SAFE LIFTING
SEPTEMBER .....	FORKLIFT AWARENESS
OCTOBER .....	HAZARDOUS MATERIALS TRAINING
NOVEMBER .....	GOOD HOUSEKEEPING
DECEMBER .....	WELLNESS

### CITY/DOCK

JANUARY .....	SECURITY VIOLENCE IN THE WORKPLACE
FEBRUARY .....	CITY TO ROAD HILLS AND CURVES
MARCH .....	PATIENCE AND COURTESY ACCIDENT PREVENTION
APRIL .....	HAZARDOUS MATERIALS SECURITY HAZARDOUS MATERIALS AND SECURITY AWARENESS
MAY .....	ENTERING AND EXITING CITY TRAFFIC
JUNE .....	DOCK SAFETY LOADING AND UNLOADING
JULY .....	OVERHEAD OBJECTS BRIDGES/WIRES/TREES

AUGUST .....	GENERAL SAFETY TEAM APPROACH
SEPTEMBER .....	FORKLIFT SAFETY FORKLIFT INSPECTIONS
OCTOBER .....	HAZARDOUS MATERIALS TRAINING HAZARDOUS MATERIALS AWARENESS
NOVEMBER .....	WINTER DRIVING USING CAUTION
DECEMBER .....	SPACE CUSHION HOOKING AND UNHOOKING

## LINEHAUL

JANUARY .....	SECURITY VIOLENCE IN THE WORKPLACE
FEBRUARY .....	TWO LANE HIGHWAYS HILLS AND CURVES
MARCH .....	PATIENCE AND COURTESY ACCIDENT PREVENTION
APRIL .....	HAZARDOUS MATERIALS SECURITY HAZARDOUS MATERIALS AND SECURITY AWARENESS
MAY .....	ENTERING AND EXITING CITY TRAFFIC
JUNE .....	NIGHT DRIVING AVOID OVERDRIVING YOUR HEADLIGHTS
JULY .....	CONSTRUCTION ZONES USING CAUTION
AUGUST .....	GENERAL SAFETY TEAM APPROACH
SEPTEMBER .....	INTERSECTIONS TURNING
OCTOBER .....	HAZARDOUS MATERIALS TRAINING HAZARDOUS MATERIALS AWARENESS
NOVEMBER .....	WINTER DRIVING USING CAUTION
DECEMBER .....	SPACE CUSHION HOOKING AND UNHOOKING



## SHOP

JANUARY .....	SECURITY VIOLENCE IN THE WORKPLACE
FEBRUARY .....	TIRE SAFETY MOUNT/DISMOUNT
MARCH .....	FUELING SLIPS AND FALLS
APRIL .....	HAZARDOUS MATERIALS SECURITY HAZARDOUS MATERIALS AND SECURITY AWARENESS
MAY .....	POWER TOOLS HAND TOOLS
JUNE .....	SELF INSPECTION OSHA REQUIREMENTS
JULY .....	WELDING CUTTING
AUGUST .....	GENERAL SAFETY TEAM APPROACH
SEPTEMBER .....	FORKLIFT SAFETY FORKLIFT INSPECTIONS
OCTOBER .....	HAZARDOUS MATERIALS HAZARDOUS MATERIALS AWARENESS
NOVEMBER .....	SLIPS, TRIPS AND FALLS GOOD HOUSEKEEPING
DECEMBER .....	SPACE CUSHION HOOKING AND UNHOOKING

## **EXHIBIT 7C**



*Expect more™*

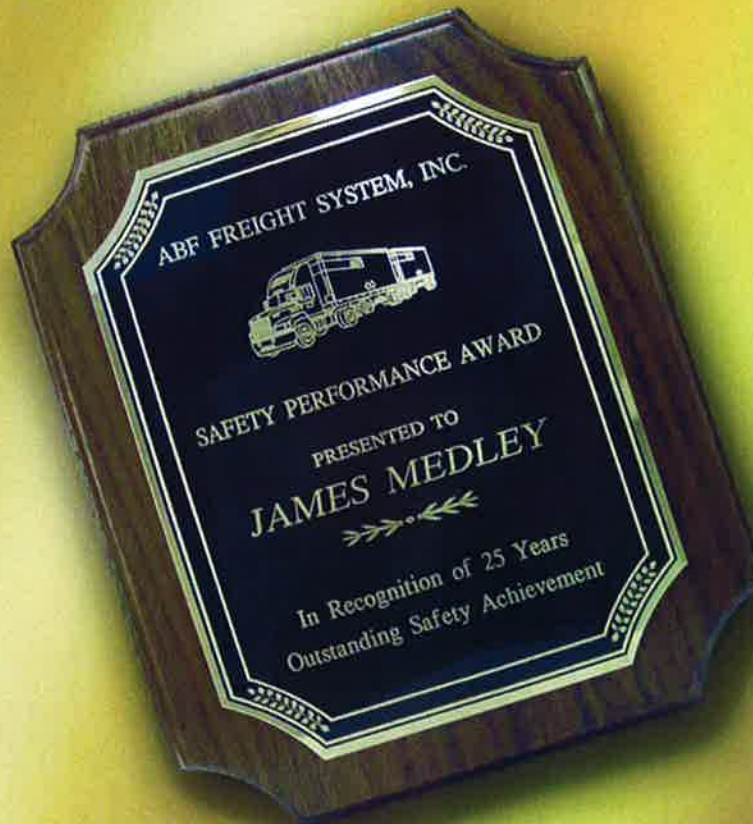
# Safety Incentive Awards

## 2009

ABF Freight System, Inc.  
Safety & Security Department



# Safety Performance Award



Regular touch labor employees who worked 60% of the year and were not involved in a preventable accident or OSHA recordable injury in the previous 12 months will be credited with one year of safety performance. For every five years of safety performance, the employee will receive a Safety Performance Plaque. Safety years from previous carriers are not credited for this award.

*\*Award year is from anniversary date to anniversary date.*

Safety & Security Department





# Safe Driving Certificate



Regular drivers who worked 60% of the year and were not involved in a preventable accident in the previous 12 months will receive a safe driving certificate and two safe driving patches. Documented safe driving years from previous carriers can be credited for this award.

*\*Award year is from anniversary date to anniversary date.*

Safety & Security Department





# Thirty-Year Safe Driving Ring



Regular road and city drivers who drive 30 years with ABF accident free will receive:

*Thirty-Year Safe Driving Ring, 10K Gold with ABF logo deeply embedded inside the emerald-colored stone. Exquisite detail of an ABF set of doubles is pictured on one side and an American flag and eagle on the other.*

Safety & Security Department





# 2009 Annual Safety Award PROGRAM

Safety pays again in 2009. Eligible employees earn 2,500 points redeemable at the ABF Company Store. Use your points immediately or accrue up to 10,000 points. Each point has a value of one cent toward online purchases of your choice from the ABF Company Store.

## Here's the fine print:

*You must be a regular touch-labor employee who works a minimum of 60% of the time from January 1 through December 31 of the award year. And you must be free of a preventable vehicle accident or personal injury during the award year.*



**Wherever you are,  
always be careful.  
On the road. On the  
dock. In your home.**

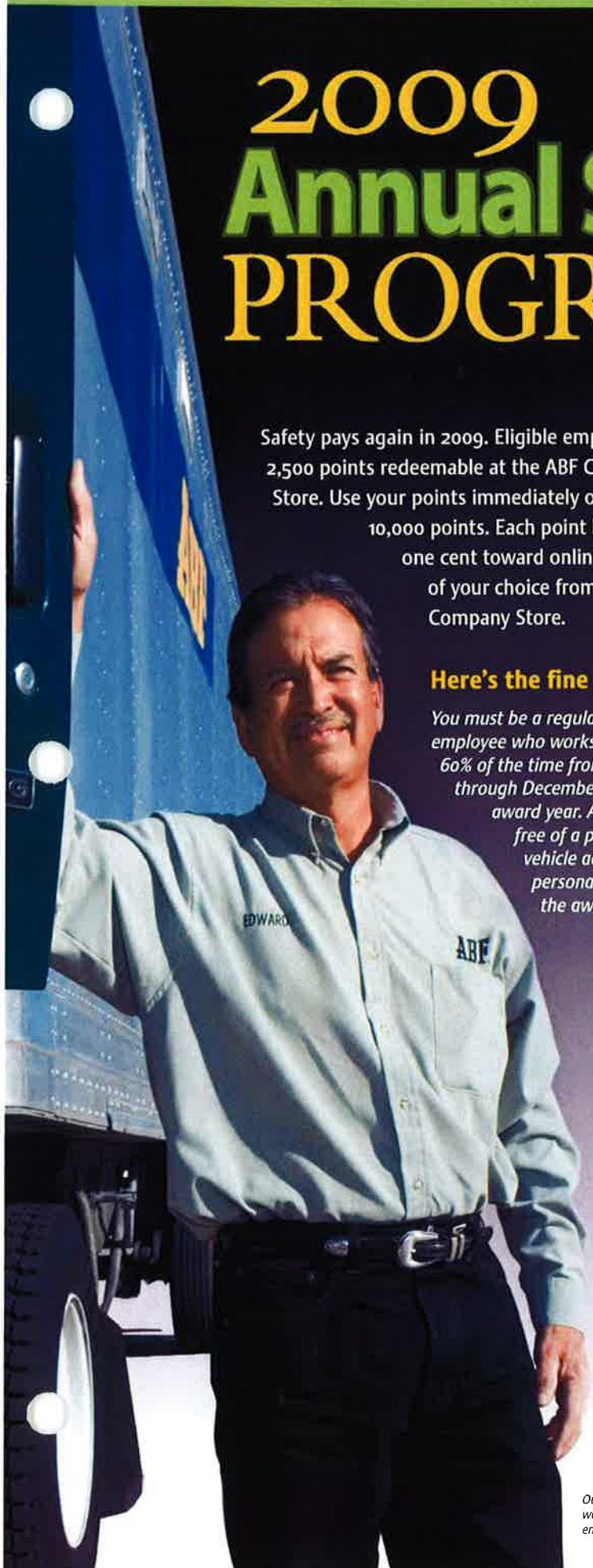
*On the road:* The National Highway Traffic Safety Administration reports that driver inattention is a leading cause of traffic crashes, accounting for about 80 percent of all collisions.

*On the dock:* The Occupational Safety and Health Administration reminds us that hazards exist in many different forms: improper lifting, sharp edges, falling objects, flying sparks, chemicals, noise, and a myriad of other potentially dangerous situations.



*Safety is the foundation  
of our success.*

Our new points-based program was created as a result of employee suggestions.





# One Million Miles Safe Driving Award



Regular road drivers who have driven one million miles consecutively without a preventable accident will receive:

Personalized "One Million Miles"  
Leather/Wool Varsity Style Jacket

Personalized "One Million Miles" Plaque

Two "One Million Miles" Shoulder Patches

Safety & Security Department



\*Awarded quarterly



# Two Million Miles Safe Driving Award



Regular road drivers who have driven two million miles consecutively without a preventable accident will receive:

**Personalized "Two Million Miles" Black Leather Travel Bag**

**Personalized "Two Million Miles" Plaque**

**Two "Two Million Miles" Shoulder Patches**

**Personalized "Two Million Miles"  
Leather/Wool Varsity Style Jacket**

**Safety & Security Department**



*\*Awarded quarterly*



# Three Million Miles Safe Driving Award



Regular road drivers who have driven three million miles consecutively without a preventable accident will receive:

Personalized "Three Million Miles"  
Leather/Wool Varsity Style Jacket

Personalized "Three Million Miles" Plaque

Two "Three Million Miles" Shoulder Patches

"Three Million Miles" Seiko Watch  
(18K Gold and Stainless Steel)

Safety & Security Department



*\*Awarded quarterly*



# Four Million Miles Safe Driving Award



Regular road drivers who have driven four million miles consecutively without a preventable accident will receive:

Personalized "Four Million Miles"  
Chiming Key-Wound Tambour-Style Mantel Clock

Personalized "Four Million Miles" Plaque

Two "Four Million Miles" Shoulder Patches

Personalized "Four Million Miles"  
Leather/Wool Varsity Style Jacket

Safety & Security Department



*\*Awarded quarterly*



# Bronze Safe Driving Award



Regular city drivers who have driven 15,000 consecutive hours without a preventable accident will receive:

- Personalized "Bronze Award"
- Leather/Wool Varsity Style Jacket
- Personalized "Bronze Award" Plaque
- Two "Bronze Award" Shoulder Patches

Safety & Security Department



*\*Awarded quarterly*



# Silver Safe Driving Award



Regular city drivers who have driven 30,000 consecutive hours without a preventable accident will receive:

**Personalized "Silver Award" Black Leather Travel Bag**

**Personalized "Silver Award" Plaque**

**Two "Silver Award" Shoulder Patches**

**Personalized "Silver Award"  
Leather/Wool Varsity Style Jacket**

**Safety & Security Department**



*\*Awarded quarterly*



# Gold Safe Driving Award



Regular city drivers who have driven 45,000 consecutive hours without a preventable accident will receive:

- Personalized "Gold Award"  
Leather/Wool Varsity Style Jacket
- Personalized "Gold Award" Plaque
- Two "Gold Award" Shoulder Patches
- "Gold Award" Seiko Watch  
(18K Gold and Stainless Steel)

Safety & Security Department



*\*Awarded quarterly*



# Platinum Safe Driving Award



Regular city drivers who have driven 60,000 consecutive hours without a preventable accident will receive:

- Personalized "Platinum Award"
- Chiming Key-Wound Tambour-Style Mantel Clock
- Personalized "Platinum Award" Plaque
- Two "Platinum Award" Shoulder Patches
- Personalized "Platinum Award"
- Leather/Wool Varsity Style Jacket

Safety & Security Department



*\*Awarded quarterly*

## **EXHIBIT 7D**





# ABF Driver Handbook

January 2006

ABF Freight System, Inc.  
Safety and Security Department

# DHB



↑ Employee ID Number Must Be Filled In ↑									

## Receipt of ABF Driver Handbook

I hereby acknowledge that I have received a copy of the revised ABF Driver Handbook dated January 2006.

Driver Name (Print): \_\_\_\_\_ Terminal No. \_\_\_\_\_

Driver Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CUT ALONG DOTTED LINE AND RETURN TO YOUR SUPERVISOR

# **ABF Freight System, Inc.**

## **Driver Handbook**

### **TABLE OF CONTENTS**

Section 1	.....	Introduction
Section 2	.....	Policy Statements
Section 3	.....	Accident Reporting
Section 4	.....	Accident Review Committee Guidelines
Section 5	.....	Driver Qualification Procedures
Section 6	.....	Guidelines/Requirements
Section 7	.....	Notification of CDL Suspension or Revocation
Section 8	.....	Monthly Safety Meeting Program
Section 9	.....	Equipment/Inspections/Hooking and Unhooking
Section 10	.....	City Drivers and Dock Personnel
Section 11	.....	Hours-of-Service, Duty Status and Logbook Requirements
Section 12	.....	Fire Prevention and Fire Fighting
Section 13	.....	Employee Incentive Award Program
Section 14	.....	Security
Section 15	.....	Hazardous Material Security
Section 16	.....	Hazardous Materials
Section 17	.....	Safe Driving/Seatbelts/Space Cushion Driving
Section 18	.....	Alternate Work Program
Section 19	.....	Customer Service
Section 20	.....	Industrial Relations
Section 21	.....	Occupational Safety & Health Administration (OSHA)
Section 22	.....	State and National Truck Driving Championships



## INTRODUCTION

Welcome aboard! You are starting a new job with a great company. ABF Freight System, Inc. has a very proud and proven track record of safety, stability and is best in class for meeting customer demands.

Over the years, ABF Freight System, Inc. has received hundreds of safety awards, as well as recognition for many innovative industry concepts. ABF is the only carrier who has won the very prestigious American Trucking Associations' President's Trophy on five separate occasions, which is the award for best-in-class safety program. The awards are the direct result of ABF employees following the Quality Process and simply doing things the right way.

ABF is a very unique company. We provide a service to our customers just like our competitors, and many have asked what makes us different. There are many things that make us different from the other guys, but the key element of our success that the competition cannot copy is our people. ABF employees adapt to the changing environment, make adjustments when necessary, and provide the customer with the best reliable service the industry has to offer. ABF is unique in another sense. While many companies keep employees somewhat in the dark, ABF makes it a priority to keep employees informed, not just about the business side of the company, but the human side, which is the face of ABF. Our low employee turnover rate is not accomplished by accident; it is because ABF, simply put, is "a great place to work and provide support for your family."

The contents of this driver handbook will provide you with a quick reference guide of the ABF Freight System, Inc. safety, security and other related requirements. ABF is constantly enhancing our safety program and you will receive timely and frequent training to keep you up to date.

Again, welcome aboard. You are now a vital part of a successful team. As a professional driver, you are "ABF" in the eyes of the motoring public and our customers.

## Section 2

### SAFETY POLICY STATEMENT

ABF Freight System, Inc., is committed to providing for the safety of our employees and the general public. Daily attention by all employees to identifying and controlling areas of risk will assure continuous improvement in achieving our commitment.

ABF Freight System, Inc., intends to comply with all applicable local, state, and federal safety requirements and regulations. Management is responsible to communicate the importance of safe work practices, be a good role model, and always correct unsafe conditions and behaviors. Failure to comply with established safe work practices can result in injuries, property damage, and vehicular accidents.

Following established procedures to help minimize losses is vital to us all. Safe work practices are everyone's responsibility. Your personal pledge to follow these expectations, and encouragement for others to do the same, is our highest goal. Dedication to this goal will help ensure our future success.

### SECURITY POLICY STATEMENT

ABF Freight System, Inc., is committed to not only protecting our customer's freight, but also ensuring that our employees work in a safe and secure environment.

ABF Freight System, Inc., developed security procedures and guidelines because management recognized that different security issues could occur with or without warning no matter what business you are in. Protecting our customers' freight and company assets and the safety and security of our employees are major concerns for the company. The security procedures and guidelines were formulated as a guide for all employees — from upper management to touch labor — so that they may have the knowledge to conform to the security requirements of the company.

ABF Freight System, Inc., believes that security awareness, when communicated to our employees, is a valuable tool in the prevention of losses to the company and our customers.

ABF Freight System, Inc., requires all employees to conform to the security procedures and guidelines of the company. All company personnel are responsible for notifying their supervisors of any violation or breach of security procedures. Management representatives should notify the Safety and Security Department Hot Line at 800-755-6486 immediately to report the incident.

ACCIDENT  
REPORTING

## ALL DRIVERS

1. All drivers, road and city, must report accidents immediately by calling 1-800-755-6486 (road drivers) or their home terminal (city drivers), giving their location and other details concerning the accident.
2. If you have an accident:
  - A. Stop.
  - B. Set out triangle reflectors as required by Part 392, Federal Motor Carrier Safety Regulations.
  - C. Assist the injured, but do not move unless absolutely necessary.
  - D. Notify police. If you cannot get to a telephone, ask a passing motorist to call. Do not leave your unit unless on extreme emergency.
  - E. City drivers will call the dispatcher at their home terminal to report an accident.
  - F. Road drivers will call 1-800-755-6486 immediately and report the accident to a company representative.
  - G. If you are unable to leave the scene, ask a passing motorist to call 1-800-755-6486.
  - H. Fill out your accident report at the scene. If possible, get the driver of the adverse vehicle to sign the Exoneration Card, if they are at fault. Try to get all occupants of the car to sign the non-injury form in your accident packet if they are not injured. Secure witnesses' names and addresses. If witnesses refuse to give name, get their vehicle license number and state issued.
  - I. Admit nothing, promise nothing, and do not argue, regardless of the circumstances. Be polite. Give your name, commercial driver's license number (CDL), company name and address.
  - J. Do not allow vehicles to be moved until police arrive. Try to leave vehicles in place at the scene until a company representative arrives. If vehicles are moved, get all necessary information, such as position of vehicles, skid marks, etc.
  - K. Stay at location of accident until released by a company representative.
  - L. Remember, drivers must immediately report all accidents, minor or major, by calling 1 800-755-6486 if a road driver, or their home terminal if a city driver.

## Section 4

### ACCIDENT REVIEW COMMITTEE GUIDELINES

The Accident Review Committee utilizes criteria established by the American Trucking Associations and the National Safety Council, which ask one simple question when determining preventability — Did the driver do everything reasonable to prevent the accident?

Remember, fault, as defined by a police officer, although certainly considered, may not mean that an accident is non-preventable. For example, an officer might issue a citation for someone else running a red light; however, our driver could have avoided the accident if he/she had ensured that the intersection was clear before proceeding.

The concept of preventability is based on the premise that the professional driver is expected to meet a higher standard of performance than the average motorist. The professional driver should be able to observe hazardous conditions, assess the behavior of pedestrians and other drivers, recognize those actions which may create hazardous conditions, and take every reasonable measure to avoid involvement in an accident. A preventability ruling is not to determine fault of a driver in an accident, but to determine that the driver did nothing which contributed to the occurrence of the accident, and that the driver did everything which could reasonably have been expected to avoid the accident.

#### INSTRUCTIONS FOR A DRIVER WHO IS REQUESTING REVIEW OF AN ACCIDENT

1. Don't assume that we know every circumstance involved in the accident.
2. Write a request for review to the Accident Review Committee, explaining the circumstances surrounding the accident. Give every detail you feel is necessary to support changing the preventable ruling of the accident to non-preventable.
3. Attach photos if available. Photos are very important to the committee. This gives the committee a chance to see the accident scene and any damage.
4. Draw a diagram of the location and positions of all vehicles or property involved.
5. Send all information to the Safety & Security Department, ABF Freight System, Inc.

**DRIVER  
QUALIFICATION  
PROCEDURE**

Department of Transportation regulations require that all drivers be qualified before they are permitted to drive. This section outlines the requirements which must be met to qualify as a driver for ABF.

- Every ABF driver must have the required Class A-CDL and Endorsements (Doubles, Triples, and either Hazardous Materials or Hazardous Materials and Tanker Combination). In addition to the endorsement, those drivers operating in a triples lane must be trained and certified to operate longer combination vehicles, when and if the domicile terminal needs triples-qualified drivers. Note: New York State licensed drivers must also have a Metal Coil Endorsement on their CDL.
- An application approved for driving by the Personnel Department.

The Federal Motor Carrier Safety Regulations are very clear for driver qualification and include the following:

- A person shall not drive a commercial motor vehicle unless he/she is qualified to drive a commercial motor vehicle. A motor carrier shall not require or permit a person to drive a commercial motor vehicle unless that person is qualified to drive a commercial motor vehicle.
- Is at least 21 years old. ABF is an interstate motor carrier, which means we must abide by the 21-year-old rule, although some states allow driving at 18 in intrastate commerce.
- Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.
- Can, by reason of experience, training, or both, safely operate the type of commercial motor vehicle he/she drives.
- Is physically qualified to drive a commercial motor vehicle.
- Has a currently valid commercial motor vehicle operator's license issued only by one state or jurisdiction.
- Has prepared and furnished the motor carrier that employs him/her with the list of violations or the certificate as required and is not disqualified to drive a commercial motor vehicle.

## **General requirements for driver qualification files.**

Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.

The qualification file for a driver must include:

- The driver's application for employment.
  - A copy of the response by each state agency concerning a driver's driving record involving investigation and inquiries.
  - The certificate of driver's road test issued to the driver or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test.
  - The response of each state agency to the annual driver record inquiry.
  - A note relating to the annual review of the driver's driving record, a list or certificate relating to violations of motor vehicle laws and ordinances.
  - The medical examiner's certificate of his/her physical qualification to drive a commercial motor vehicle or a legible photographic copy of the certificate.
  - A letter from the Field Administrator, Division Administrator, or State Director granting a waiver of a physical disqualification, if a waiver was issued.
  - Each driver's qualification file shall be retained for as long as a driver is employed by that motor carrier and for three years thereafter.
1. Certification of road test from another carrier is acceptable temporarily.
  2. No employee will be permitted to practice on ABF terminal yards to gain experience in qualifying for regular employment without approval of the branch manager and the Safety & Security Department.
  3. All road tests must be given in an ABF diesel road tractor using double trailers, NOT in a city tractor and trailer or bob-truck.
  4. The Driver Orientation Qualification file must be completed and forwarded to the Safety & Security Department at the General Office.

**GUIDELINES/  
REQUIREMENTS**

ABF is dedicated to ensuring company and employee compliance with all applicable federal, state, and local regulations, standards, and ordinances that govern our operation, and committed to protecting our employees, customers' freight, company assets, and the general public from risk exposure, unsafe conditions, and behaviors by ensuring integrity through the safe, secure, and efficient movement of freight throughout our system.

ABF has in place established, well-developed, and comprehensive safety and security policies, procedures, guidelines, requirements, and counter-measures that are integrated into our day to day operations to assure against internal and external incidents.

The following is a list of some ABF company guidelines/requirements:

**Personal Conduct**

All employees shall conduct themselves in a professional manner while on ABF property or when representing ABF.

The following will not be permitted on ABF property or in ABF vehicles:

- Loud and profane language.
- Possession or consumption of alcoholic beverage.
- Card playing or gambling.
- Improper attire worn by drivers.
- Possession, use or distribution of illegal drugs.
- Possession of firearms of any description.
- Fighting.
- Horseplay.

**Following Distance Policy**

Drivers must maintain a minimum of one-half mile between company units while on the open highway and one city block while in town.

**Headlight Policy**

It is company policy that all road units be operated with headlights burning both day and night.

**Property Speed Limit**

All employees will observe the company speed limit of 10 mph on ABF yards at all times.

**Tampering With Company Equipment**

Any employee guilty of having "tampered" with, altered or otherwise dam-

aged company equipment will be disciplined in accordance with the labor agreement.

### Hazardous Material Spill Procedures

All chemical spills and releases must be reported to the Safety and Security Department 24-hour Hot Line number at 800-755-6486 immediately. Refer to the Hazardous Material section of this handbook for complete instructions and procedures.

### Personal Attire and Footwear

Clothing must be suitable for the job. Clothing shall present a professional appearance, as well as provide protection against cuts, scrapes, abrasions, entanglements, etc. No sleeveless shirts shall be worn. Avoid loose-fitting clothing that may become entangled in moving machine parts.

The following is not acceptable footwear for trucking pickup and delivery, dock, shop, yard, and road operations: Canvas or nylon tennis shoes, canvas or nylon jogging shoes, sandals, cloth shoes, canvas shoes, open-toed shoes, unbuckled overshoes, thin-soled shoes, or shoes with loose soles. All shoes that provide for laces must have laces present and must be appropriately tied.

### Prohibition of Alcohol, Illegal Drugs, Weapons Policy

Company policy prohibits possession or consumption of alcoholic beverages, possession, use or distribution of illegal drugs, and possession of weapons of any description (including firearms) on company property or in company vehicles, unless properly manifested as freight for transit.

### Seat Belts

Seat belts must be worn at all times while operating company equipment.

### Regulatory Requirements

Obey all federal, state, and local laws.



## NOTIFICATION OF COMMERCIAL DRIVER'S LICENSE SUSPENSION OR REVOCATION

The Federal Motor Carrier Safety Regulations (FMCSR) require a driver who is convicted of violating, in any type of vehicle, a state or local law relating to motor vehicle traffic control (other than a parking violation) to notify his/her employer of such conviction within 30 days after the date of conviction. The driver must also notify the state or jurisdiction in which his/her commercial driver's license (CDL) was issued if the violation occurred in a state or jurisdiction other than the one that issued the license.

This, however, does not supersede the separate provision of Article 35, Section 2, of the National Master Freight Agreement, which requires that a driver who receives a traffic citation for a moving violation that would contribute to a suspension or revocation of his/her right to drive the company's equipment for any reason to promptly notify his/her employer in writing. As such, in accordance with our policy, the company expects the employee to also comply with the provisions of Article 35, Section 2, in addition to the FMCSR.

There is a "Notification of Traffic Violations" form available from the Safety and Security Department for reporting violations for the purpose of complying with FMCSR. The form should be filled out completely, as all requested information is required. The white copy of the form is to be sent to the Safety and Security Department; the canary copy is sent to the terminal file; and the pink copy is to be sent to the state issuing the CDL, if needed. The form can be printed from the Safety and Security intranet site.

### DRIVER'S CERTIFICATION & ANNUAL REVIEW OF DRIVING RECORD

Federal Motor Carrier Safety Regulations and company policy require drivers to prepare and furnish the company with a list, at least once every 12 months, of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he/she has forfeited bond or collateral during the preceding 12 months. If the driver has not been convicted of or forfeited bond or collateral on account of any violation which must be listed, he/she shall so certify.

A "Driver's Certificate & Annual Review of Driving Record" form will be sent to the terminal from the Safety and Security Department for each driver, along with a computer-generated list of drivers required to complete the form. Completion of the form is required even if there are no violations. Instructions will be included. This form can also be printed from the Safety and Security intranet site.

### ANNUAL REVIEW, MVR

At least once every 12 months, the company is required by FMCSR to request a copy of each driver's driving record (MVR) from each state in which they hold a CDL or permit. The MVR will be compared with the "Driver's Certificate & Annual Review of Driving Record" and "Notification of Traffic Violations" submitted by the drivers.

## Section 8

### MONTHLY SAFETY MEETING PROGRAM

The backbone of any safety program is the ability to change and adapt to the driving and work environment, which includes safety meetings and training for all employees.

The Safety & Security Department maintains registers, which include accident and injury activity for each calendar year, in an effort to define cause and then develop solutions to prevent future occurrences of similar nature.

Every year, the Safety & Security Department develops specific topics, which may be considered both safety meetings and safety training. The topics target accident and injury prevention, as well as some of our regulatory obligations for education and training. Every ABF employee must attend the monthly meeting and attendance is recorded into our computer database to ensure that the safety meetings and training have been completed.

Although the required topics have a specific targeted message, ABF encourages every employee to get actively involved in the safety process, which includes bringing safety concerns to the attention of the management.

ABF is very concerned about your safety and is your willing partner in accident and injury prevention.

### ROAD and CITY EQUIPMENT SAFETY REQUIREMENTS

### EQUIPMENT, INSPECTIONS, HOOKING AND UNHOOKING

1. Each vehicle cab must be equipped with the following safety equipment:
  - A. Complete Accident Packet
  - B. One 10 B/C type fire extinguisher
  - C. One box of triangle reflectors
  - D. Emergency Response GuidebookAll the above items must be properly secured.
2. All units must be checked for, but not limited to, the following items by the driver before leaving the yard:
  - Lights and reflectors
  - Steering tires at least 4/32 tread depth
  - Horn
  - Windshield wipers, condition of windshield
  - Fire extinguishers and reflectors
  - Brakes
  - Steering mechanism
  - Air lines and electrical connections
  - Springs
  - Mudflaps
  - Low air buzzer warning
3. Driver must turn in a Driver's Vehicle Condition Report (VCR) at the end of each shift, reporting any defects. The VCR must be completed on each piece of equipment driven during the duty status, even if no defects are noted.
4. ABF recommends that drivers always carry a copy of the Federal Motor Carrier Safety Regulations pocketbook in his/her possession while operating company equipment.

### EQUIPMENT INSPECTIONS

Inspecting your vehicle prior to departure or anytime you switch equipment is not only required by the Federal Motor Carrier Safety Regulations, it is simply the right thing to do. As a professional driver, you must not operate a vehicle found to be in an unsafe operating condition, either prior to a trip or when en route. A complete vehicle inspection is not only for the safety of the equipment, but, more importantly, it is for your personal safety and the safety of the general public.

There are four basic reasons for equipment inspections and they are:

- Safety
  - Safety is the most important and obvious reason. A complete inspection helps avoid mechanical defects and malfunctions that increase the likelihood of an accident.
- Economy
  - Skipped or poorly done inspections can lead to unnecessary expense. Small problems can quickly become big maintenance problems. Properly done inspections can identify problems that could shorten vehicle life, as well as result in higher operating cost such as:
    - Higher fuel consumption.
    - Breakdown-towing cost.
    - Higher repair cost.
    - Delays in meeting customer demands for timely delivery of their products.
- Public Relations
  - Neither the trucking industry nor ABF need additional negative perceptions from the public because of vehicles stranded on the side of the highway because of poorly done inspections.
  - Poorly done inspections can lead to bad publicity from:
    - Accidents.
    - Breakdowns that cause traffic delays.
    - Excessive engine smoke or loud exhaust.
- Legality
  - The Federal Motor Carrier Safety Regulations, as well as company policy, mandate vehicle inspections.
  - Both federal and state enforcement personnel have authority to inspect company equipment. Any equipment not meeting requirements may be put out of service, depending on the severity of defects. Both the driver and the company could be subject to a fine.
- There are three kinds of commercial vehicle inspections, which include:
  - Pre-Trip
  - En Route
  - Post-Trip
- A systematic vehicle component check is always conducted prior to each trip or anytime you switch equipment to detect defects that could cause accidents or breakdowns. As stated above, a pre-trip inspection is required by law and company policy and all

professional drivers know an inspection is required for “common sense safety” as well. After conducting your pre-trip inspection, note “pre-trip” in the remarks section of your daily record-of-duty status.

- A good pre-trip inspection should include, but is not limited to, a seven-step process.
  - Step One - Approach Vehicle: As you approach the vehicle, look at the overall condition of the unit for damage or fluid leaks.
  - Step Two - Under the Hood: May not be required to open the hood, depending on individual terminal requirements. If required, check fluid levels, belts, wiring, etc.
  - Step Three - Start Engine/Inside Cab: Enter cab, start and warm up engine, and commence primary and secondary controls and instrument check. Check presence and condition of all emergency equipment, such as fire extinguisher, reflectors, and accident packet.
  - Step Four - Check Lights: Ensure parking brake is set. Exit cab and check all lights to make sure they are operational, as well as the vehicle’s mirrors.
  - Step Five - Conduct Walk Around: Inspection of your cab, including the battery box, doors, mirrors, hood latch, chain box, fuel tanks and straps, and exhaust.
  - Step Six - Trailer(s): Ensure the electrical and air lines are properly positioned and dummy gladhands secured where applicable. Pay particular attention to a proper connection of the trailer and fifth wheel. A good indicator of a “high hook” is space between the upper and lower fifth wheel. Ensure a proper connection between all units. Check and make sure the landing gear is raised and secure and that all lights are working on the trailers. Of course, check all tires for proper inflation, loose lugs, etc.
  - Step Seven - In Cab: Ensure that all gauges are properly working, shut down engine, and listen for air leaks and low air warning device, windshield wipers, defroster, etc. Before departure, conduct a rolling brake test, which means that you should start the vehicle rolling slightly and engage the brakes to ensure they are working properly.

A good pre-trip inspection should take between five and seven minutes to conduct. If you determine the vehicle is safe, have a great trip. If not, contact your supervisor.

### En Route Inspections

You must make routine inspections of your vehicle while en route to ensure your safety, paying particular attention to your connections, tires, etc. Federal law requires that you inspect your tires during the pre-trip and every time the vehicle is transporting placarded quantities of hazardous materials. Actually, you should inspect your tires every time you stop, whether you are transporting hazardous material or not.

### Post-Trip Inspection

This inspection means that at the end of your day or tour of duty, you must complete a Vehicle Condition Report on the vehicle(s) you have driven, utilizing the provided checklist to identify any problem of defects needing attention prior to the vehicle being placed back into service.

Completing an accurate Vehicle Condition Report ensures that necessary repairs are made in a timely manner. Completion of the report is required by the Federal Motor Carrier Safety Regulations and company policy.

All Vehicle Condition Reports must be completed, and you must follow established procedures as outlined by your local terminal for filing and retention of the reports.

## ROADSIDE INSPECTIONS

The Federal Motor Carrier Safety Regulations require disposition of all driver/vehicle roadside inspection reports within 15 days of inspection. These reports must be signed and returned, certifying that all violations/repairs noted on the report have been corrected. In many instances, the Safety and Security Department receives these reports with no signature certifying the corrections. It is the responsibility of the dispatch destination of that driver to make the necessary repairs and/or certify that these corrections have been completed.

Please follow these steps for all driver/vehicle roadside inspections:

1. The driver of any motor vehicle receiving an inspection report shall deliver it to the next ABF terminal of your dispatch destination.
2. The terminal shall examine the report. Violations or defects noted thereon shall be corrected prior to the equipment being used/dispatched again.
3. Once all violations or defects have been repaired, certify that all violations noted have been corrected by completing the "Signature of Carrier Official, Title, and Date Signed" portions of the form. If applicable, the "Signature of Repairer" portion of the form is required to be completed by ABF or the vendor hired to complete the repairs.



4. Photocopy the report, file the copy and send the original, signed report to the Safety and Security Department. The Safety and Security Department will review the report for accuracy of noted violations and return it to the issuing agency. It is the responsibility of the Safety and Security Department to retain a copy of the inspection for 12 months from the date of inspection.

If you have any questions, please contact the Safety & Security Department.

## HOOKING AND UNHOOKING PROCEDURES

Professional drivers, when transporting freight from one location to another using a commercial vehicle, must make absolutely sure that the tractor and trailer(s) are properly hooked for safe operation on the highways. It only takes a few minutes, but if not done properly, the consequences can be disastrous.

If the safe hooking and unhooking procedures are not followed, the following consequences may occur:

- Personal Injury
- Vehicular Accident
- Damaged Equipment
- Customer Freight Delay

Follow the procedures listed below for hooking and/or unhooking.

### Uncoupling Procedures

#### UNCOUPLING TRAILER FROM CONVERTER GEAR

1. Park unit on flat, level ground.
2. Pull the red "trailer air supply" knob on the tractor dash to set the trailer park brakes only.
3. Slightly back up (approximately one to two inches to relieve the tension on the rear trailer kingpin). This will make it easier to pull the fifth wheel release handle.
4. Set the tractor parking brake by pulling the yellow knob on the tractor dash.
5. Lower the rear trailer landing gear to within one inch of the ground.
6. Unhook air hoses and electrical cord from the rear of the lead trailer.
7. Lay the hoses and electrical cord between the frame rails and over the converter frame cross-members. Do not lay them across the outside of the frame where they could be damaged.
8. Remove the dummy gladhands from the storage carrier on the rear of

the trailer and connect them to the corresponding gladhand connections on the rear of the lead trailer.

9. Unhook the air lines and electrical cord from the rear trailer and store them in the converter storage carrier. Do not lay them across the outside of the frame where they could drag on the ground or otherwise become damaged.
10. Open the converter air tank drain valve. This will drain the tank and release the converter brakes.
11. Slide the fifth wheel latch indicator back, then pull or slide the fifth wheel release handle to the released position.
12. Return back to the tractor and push in the red and yellow brake controls (dash knobs) to disengage both park brakes.
13. Slowly pull lead trailer forward until the converter gear is clear of the rear trailer.

#### UNCOUPLING CONVERTER FROM FRONT TRAILER

1. After the rear trailer has been dropped, pull the converter to the converter storage area.
2. If the storage area is not on level ground, secure the converter to prevent it from rolling.
3. Unhook the safety chain(s).
4. Release the pintle hook latch.
5. Lower the converter landing gear, if equipped, and raise the pintle eye out of the pintle hook.
6. Pull the front trailer clear of the converter.

#### UNCOUPLING TRAILER FROM TRACTOR

1. Park the unit on flat level ground.
2. Pull the red "trailer air supply" knob on the tractor dash.
3. Slightly back up (approximately one to two inches to relieve the tension on the trailer kingpin). This will make it easier to pull the fifth wheel release handle.
4. Set tractor parking brakes by pulling the yellow knob on the tractor dash.
5. Lower the trailer landing gear to within one inch of the ground.
6. Slide the fifth wheel latch indicator back, then pull or slide the fifth wheel release handle to the released position.
7. Disconnect the trailer air lines and electrical cord from the front of the trailer and stow them in the holder on the tractor.
8. Push in the yellow knob on the tractor dash to release the tractor park brakes.
9. Slowly pull the tractor forward approximately six inches to disengage the fifth wheel from the trailer kingpin.
10. If equipped, stop and set the air suspension dump valve located on the dash to deflate the tractor air suspension. A warning buzzer will sound and a warning light on the switch will illuminate to indicate the

air suspension is deflated.

11. Slowly pull the tractor forward until the fifth wheel is clear of the trailer. Once the tractor is clear of the trailer, reset the suspension dump valve switch to inflate the air suspension.

### Coupling a Set of Trailers

1. Turn on hazard lights, headlights and marker lights.
2. Locate the rear trailer. It is usually the lightest trailer.
3. Position it on flat, level ground.
4. Place the converter one foot in front of the rear trailer but not under it. This leaves the converter free to be hooked to the lead trailer.
5. Be sure the air suspension valve is in the inflated position.
6. Hook the tractor to the lead trailer, which is usually the heaviest trailer. Firmly pull forward against the kingpin to ensure it is in a locked condition.
7. Set parking brakes.
8. Check the latch indicator on the fifth wheel to be sure it is in the locked position.
9. Visually check the fifth wheel locking jaws to be sure they are locked on the trailer kingpin.
10. Hook tractor air lines and electrical cord to front of lead trailer.
11. Raise the trailer landing gear.
12. Slowly back the tractor and lead trailer directly in front of the converter gear, stopping approximately one foot in front of the converter gear. Try to avoid hitting the converter gear.
13. Secure the tractor and lead trailer and set the parking brake.
14. Check the alignment of the pintle hook and the converter gear tongue eye. If they are more than four to six inches out of alignment, realign the tractor and lead trailer to the converter.
15. Move the converter gear forward and connect it to the pintle hook of the lead trailer. Always practice safe and proper lifting methods.
16. Raise the converter gear landing gear.
17. Close the lead trailer pintle hook latch and be sure the pintle hook safety latch is secure.
18. Attach the safety chain(s) to the safety chain loop of the lead trailer and be sure the safety latch is secure and locked.
19. Before backing, check the height of the rear trailer upper couple. Be sure it is not too high or too low. Also check the alignment of the rear trailer kingpin and the converter fifth wheel.
20. Release the parking brakes and slowly back the converter under the rear trailer until the rear trailer kingpin securely engages the fifth wheel latch.
21. Gently pull forward against the kingpin to ensure a locked connection.
22. Set parking brakes.
23. Check the latch indicator on the fifth wheel to be sure it is in the locked position.

24. Visually check the fifth wheel locking jaws to be sure they are locked on the rear trailer kingpin.
25. Raise the rear trailer landing gear.
26. Remove the dummy gladhands on the lead trailer and place them in their storage carrier. Attach the converter air lines and the electrical cord to the lead trailer.
27. Close the converter air tank drain valve (Turn drain valve one-fourth turn).
28. Connect the converter air lines and electrical cord to the rear trailer.
29. Push in the red "trailer air supply" knob on the tractor dash to apply air to the trailers.
30. Pull down the trailer hand valve.
31. Perform a pre-trip inspection to verify the unit is roadworthy. Starting at the front of the tractor and progressing on the driver's side to the rear of the set; then across the back of the rear trailer and forward on the curb side of the set returning to the front of the tractor. Check the following items:
  - a. Air lines for damage and leaks at connections.
  - b. Tires for flats and damage.
  - c. Wheels for loose lugs and cracks.
  - d. Mud flaps.
  - e. Lead trailer locking latch indicator on fifth wheel(s).
  - f. Fifth wheel kingpin locks to be sure they are latched.
  - g. Lead trailer for visible damage and air leaks.
  - h. Pintle hook – Be sure safety latch is locked and the snubber is engaged.
  - i. Marker and hazard lights.
  - j. Converter for visible damage and air leaks.
  - k. Converter fifth wheel latch indicator and lock for latched condition.
  - l. Rear trailer for visible damage.
  - m. Dummy gladhands are in place on the rear trailer.
  - n. Tractor for headlights, cab lights and any visible damage.
  - o. Tractor safety equipment – Air horn, city horn, fire extinguisher, reflector kit, wipers, etc.

Note: COUPLING PROCEDURES FOR TRIPLES ARE THE SAME AS THOSE FOR DOUBLES.

Drivers and dock personnel must comply with all safety requirements of ABF and its regulatory agencies.

## Section 10

### CITY DRIVERS AND DOCK PERSONNEL

1. Housekeeping: All personnel are responsible for keeping the dock, vehicle cabs, and other facilities clean and orderly.
2. Attire:
  - A. Clothing must be suitable for the job. Clothing shall present a professional appearance, as well as provide protection against cuts, scrapes, abrasions, entanglements, etc.
  - B. No sleeveless shirts shall be worn.
  - C. Avoid loose-fitting clothing that may become entangled in moving machine parts.
3. Footwear:
  - A. The following is not acceptable footwear for trucking, pickup and delivery, dock, shop, yard, and road operations: Canvas or nylon tennis shoes, canvas or nylon jogging shoes, sandals, cloth shoes, canvas shoes, open-toed shoes, unbuckled overshoes, thin-soled shoes or shoes with loose soles.
  - B. All shoes that provide for laces must have laces present and must be appropriately tied.
4. Forklifts will be operated only by personnel who have received instructions on the proper and safe methods required by OSHA.
5. Personal injuries, regardless of how minor, will be reported immediately to a company supervisor.
6. When operating ABF equipment:
  - A. Do not exceed posted speed limits.
  - B. Observe a one-city block following distance.
  - C. Observe the company speed limit of 10 mph on ABF yards at all times.
  - D. Lower safety stand on pup trailer anytime it is not hooked to a tractor.
  - E. Do not smoke inside trailers.
  - F. Do not eat or drink in trailers or on dock areas.
  - G. Obey all hazardous material regulations.

## Section 11

### HOURS OF SERVICE, DUTY STATUS AND LOGBOOK REQUIREMENTS

The following will be the requirements for completing your daily logs to be in compliance with the Federal Motor Carrier Safety Regulations. City drivers need only complete an actual log sheet on the days that they do not qualify for the 100 air mile radius exemption.

- Date of each log.
- Total miles driven today.
- Vehicle numbers, tractor/trailer.
- Driver's signature in full (legible).
- Co-driver, if applicable.
- Total hours on lines 1, 2, 3 and 4 if applicable.
- Total of hour lines (must equal 24).
- Shipping document or manifest number.
- Use the home terminal time zone when completing logs.
- Must show a pre-trip inspection at the beginning of each tour of duty and at the time of interchange of equipment. Enter Pre-Trip in the remarks section on your log.
- Use the "Remarks" section to record any change in duty (kept current to the last change-of-duty status).
  - You must list city and state.
  - Only the state may be abbreviated.
  - If the change-of-duty status occurs at a highway marker, service plaza, two intersecting highways or a roadside park, the nearest city and state must be listed.
- When hauling hazardous material, a tire check must be performed during the pre-trip inspection and every time the vehicle is stopped.
- You must keep the log current to the last change of duty status.

#### ADDITIONAL LOGGING REQUIREMENTS:

- All driver's logs must be neat and legible.

- All loading and unloading performed by the driver must be logged on duty-not driving.
- Two or more consecutive days off duty in the same month may be recorded on one log.
- You must have the last seven days' logs in your possession while driving a commercial motor vehicle. Drivers who normally operate under the 100 air-mile exemption only need to have in their possession the log for the day they do not qualify for the exemption.

Remember, your logs are subject to inspection by law enforcement officials and the Safety and Security Department personnel. All logs must be current and accurate.

## HOURS OF SERVICE:

### 60/70-Hour Rule

- The 60/70-hour rule does, in fact, limit the number of hours a professional driver can drive; however, it does not limit the number of hours a driver can work.
- Hours must be totaled using a combination of driving time and on duty-not driving time.
- For example, if, during a tour of duty, you spend 3 hours loading your trailer and then drive for 8 hours, the total time spent is 11 hours.
- Once a professional driver has reached 60/70 hours in any consecutive 7/8-day period, the individual cannot drive a commercial motor vehicle. City drivers normally are subject to the 60-hour, seven-day rule and road drivers operate on a 70-hour-in-8-day cycle.

### 14-Hour Rule

- After a consecutive 10-hour rest period, professional drivers have 14 hours available to work and drive as long as there are hours available. Remember the 60/70-hour rule.
- The 14 hours is a consecutive time period starting from the time the driver began work. Remember: This is a consecutive time period, so breaks, even though logged off duty, must be counted



because the clock is running on the 14-hour rule and when the 14-hour limit is met, the driver cannot drive a commercial motor vehicle.

- The rule does not prohibit the hours that you can work; however, it does prohibit driving time. You cannot drive after reaching 14 hours on duty.

### 11-Hour Rule

- The 11-hour rule deals strictly with the amount of time a professional driver can drive.
- After you have completed a 10-hour consecutive break, you may drive for 11 hours in a 14-hour span. However, you must remember the 60/70-hour rule. You cannot exceed available hours.
- For example, if you begin your tour of duty and your available hours are only 8, you can only drive for the 8 hours that are available.

### Daily Recap

- Completing a daily recap is a simple and easy method to ensure compliance with the 60/70-hour rule.
- Recapping is maintaining a cumulative total of the hours worked on-duty and on duty-not driving for the previous 7/8 days. For example:

Date of the Month	Total Hours Worked
1	9 1/2
2	10
3	8
4	0
5	6 1/2
6	9 3/4
7	12 1/2
8	5 1/4
Total Hours Worked	61 1/2

## HOURS OF SERVICE - CITY OPERATION:

City drivers are limited to driving 60 hours in 7 consecutive days. For example:

Monday	10 hours
Tuesday	8 hours
Wednesday	10 hours
Thursday	10 hours
Friday	10 hours
Saturday	10 hours
	58 hours

In this example, you would only have 2 hours available to drive on Sunday.

### 100 Air-Mile Radius Drivers—(Most City Drivers)

A driver is exempt from completing an actual daily log if the following conditions are met:

- The driver operates within a 100 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within 12 consecutive hours.
- At least 10 consecutive hours off duty separate each 12 hours on duty.
- The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty.
- The company maintains time records showing:
  - The time the driver reports for duty each day.
  - The total number of hours the driver is on duty each day.
  - The time the driver is released from duty each day.
- City drivers may complete runs outside of the 100 mile radius, in addition to any city driving; however, a log must be kept and the 11-, 14-, and 60-hour rules must be complied with.
  - Example: If you were on duty driving in the city operation for 7 hours and you were on duty not driving for 5 hours, you cannot complete an additional dispatch that would exceed 2 hours' driving time.

- Example: If during the last seven days, which would include today, you had been on duty 54 hours, you could complete a dispatch of up to 6 hours as long as you are not violating the 11- or 14-hour rules. However, if the dispatch would take 7 hours, you would violate the 60-hour rule.

### Change of Duty Status

Drivers operating within the city may enter driving and on duty-not driving as single entries into their logbook.

- Example: If you made multiple stops in Little Rock during the course of your daily activity, all time spent driving to and from the various stops may be logged on line three as one duty status. Simply keep your cumulative driving and make one entry on your log.
- On duty-not driving can be entered in the same fashion. Keep the cumulative total on all on duty-not driving time and make one entry on line four of your logbook.
- Note: Although the 100 air-mile radius exempts most of our city drivers from the completion of a log, we frequently have drivers that do not qualify for the exemption because they are not released from duty with 12 consecutive hours.
- The 12 consecutive hours includes all breaks taken during the day. A basic rule of thumb is clock-punch to clock-punch. However, we frequently have employees punch the clock a few minutes before starting time—such as 5 minutes to 08:00 with an actual 08:00 work time. This 5 minutes would not count in the 12-consecutive hour requirement.
- If a driver fails to qualify for the exemption, a log must be completed for the day's activity. Logging should be done as quickly as the driver and/or the company knows that the driver will not qualify for the exemption.
- Similar to linedriver log sheets, these logs must be maintained for a period of at least 6 months. Upon request, ABF will be required to produce the log sheets to an enforcement office within 48 hours of the request.

Compliance with the federally mandated hours-of-service limitations is critical to the success of any motor carrier. A carrier's operating authority could be revoked for excessive violations and/or the fines imposed could be substantial. Your cooperation and compliance with the hours-of-service

mandates is one of the many vital requirements that will ensure our future success.

Note: Effective October 1, 2005, the Hours-of-Service rules will change regarding rest periods in sleeper berths. Although the change will have minimal impact on ABF because of the limited number of sleeper teams, the change is significant. The following is a side-by-side comparison of the old/new rule.

Old Rule	New Rule
Commercial Motor Vehicle (CMV) drivers using a sleeper berth must take 10 hours off duty, but may split sleeper-berth time into two periods provided neither is less than 2 hours.	CMV drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.

## Section 12

### FIRE PREVENTION AND FIRE FIGHTING

Fires in motor vehicles are comparatively uncommon. Nonetheless, when they do occur, it is important that the driver knows what to do and how to do it in order to minimize the risk of his/her own life and to minimize the spread of the fire and the resultant damage to equipment and cargo.

The FMCSA Regulations and company policy require that a fire extinguisher be carried on commercial motor vehicles. Certainly a driver should know how to operate the extinguisher on his truck.

Operating an extinguisher is very simple. Pull the pin, which releases the handle, and aim the fire retardant at the base of the fire, always keeping a safe distance from the fire so as to avoid the smoke and possibility of your being harmed.

There are three basic elements to every fire:

- Fuel - every fire must have something to burn.
- Air - every fire must have oxygen, which supports combustion.
- Heat - every fire must have heat to cause ignition.

#### General Fire Fighting Strategy—Fire Extinguisher

- Aim the extinguishing agent at the base of the fire.
- Use a sweeping motion from side to side across the base of the flames.
- Always keep the wind at your back to avoid the smoke.
- On a engine fire, if possible, shoot the extinguishing agent through the hood louvers, radiator or up under the engine. If necessary to open the hood, open it as little as possible to prevent flare-ups.
- Continue to sweep the fire until the fire is extinguished or the extinguisher is exhausted.

#### General Fire Prevention Rules

- Always shut off the vehicle's engine and electrical accessories during fueling.
- No smoking during refueling.
- Always maintain a grounding bond at the point of fueling, keeping the metal fuel dispenser in contact with the metal fuel tank at all times during the fueling process.
- Keep the cab of your vehicle free of papers, rags and other flammable materials.
- Do not smoke in the cargo space of trucks or trailers.
- Smoking is prohibited by law and company policy when transporting, loading or handling hazardous materials.
- Ensure that matches, cigarettes, cigars, and pipe ashes are out before disposing of them. Use the ashtray rather than throwing them out the window.
- Inspect the trailers on your vehicle before departure and constantly monitor for heat and smoke while driving.

## Prevention of Tire Fires

- Ensure that the tires are properly inflated before you start every trip.
- Check your tires en route every time you stop the vehicle for routine breaks, etc.
- Avoid excessive use of the service brakes.
- Never drive on a flat tire, unless it is safer to proceed a short distance to get you and your vehicle out of harm's way.
- If you suspect that you have an overheated tire, do not abandon the vehicle. It may burst into flames in your absence. Summon the nearest fire department for assistance, if possible and necessary, and notify your supervisor.
- Water is the best extinguisher for tire fires because great cooling power is necessary to cool the whole tire below its ignition temperature.
- The extinguisher carried on the truck may not put out a burning tire, but it can be used to control the flames for a short period until help arrives. When using an extinguisher, do so intermittently to control the flames and make the extinguishing agent last as long as possible.
- A smoking tire can usually be removed from the vehicle safely. Never leave a smoldering tire on the unit while waiting for it to cool down. The continued buildup of internal heat will eventually cause the tire to burst into flame.
- Dirt or snow may be shoveled onto the burning tire to control flames.

## Additional Fire Precautions

- Should a fire develop under the hood of your vehicle in the engine compartment, avoid opening the hood beyond the least amount possible, which will minimize the danger of a flare-up from excessive air reaching the flame.
- If you can do so safely, separate the tractor from the trailers to minimize damage to both units should you notice a fire.
- In the event of an electrical fire, unhook the battery cables if you can do so safely. Never use water on an electrical fire.
- Never use water on burning petroleum products except as a fine spray or fog (this requires special equipment).
- Every fire must be reported, regardless of the cause, the size of the fire or the amount of damage involved, to the Safety & Security Department Hot Line at 800-755-6486.

## Cargo Fires

- Cargo fires will generally be detected by the appearance of smoke around the trailer doors of a closed van or by direct observation of fire in open equipment.

- Do not open the doors of a closed van until the vehicle has been moved to a safe location and help is available or a supply of water is at hand. Always summon help.
- Once the doors are open, if you can safely do so, remove cargo to a safe location until the burning portion is reached to save as much as possible from fire and water damage.
- Alert the fire department when they arrive what is in your load and certainly alert them of any special commodities, such as hazardous materials.
- Notify the Hot Line and your supervisor.



EMPLOYEE  
INCENTIVE  
AWARD  
PROGRAMSafe Driving Certificate

Regular drivers who worked 60% of the year and were not involved in a preventable accident in the previous 12 months will receive a safe driving certificate and two safe driving patches. Documented safe driving years from previous carriers can be credited for this award.

*\* Award year is from anniversary date to anniversary date.*

Safety Performance Award

Regular employees who worked 60% of the year and were not involved in a preventable accident or OSHA recordable injury in the previous 12 months will be credited with one year of safety performance. For every five years of safety performance, the employee will receive a Safety Performance Plaque. Safety years from previous carriers are not credited for this award.

*\* Award year is from anniversary date to anniversary date.*

Annual Safety Award

- Must be a regular touch labor employee from January 1 through December 31 and must have worked a minimum of 60% of the year.
- Employee cannot be involved in a preventable accident or OSHA recordable injury during the award year. Safety years from previous carriers are not credited for this award.

*\* Award year is January to December.*

Thirty-Year Safe-Driving Ring

Regular road and city drivers who drive 30 years with ABF accident free will receive:

- Thirty-Year Safe-Driving Ring, 10K gold with ABF logo deeply embedded inside the emerald-colored stone. Exquisite detail of an ABF set of doubles is pictured on one side and an American flag and eagle on the other.

*\* Award year is January to December.*

One Million Mile Safe Driving Award

Regular road drivers who have driven one million miles consecutively without a preventable accident will receive:

- Personalized “One Million Mile” black leather travel bag.
- Personalized “One Million Mile” plaque.
- Two “One Million Mile” shoulder patches.

*\* Awarded quarterly.*

#### Two Million Mile Safe Driving Award

Regular road drivers who have driven two million miles consecutively without a preventable accident will receive:

- Personalized “Two Million Mile” black leather travel bag.
- Personalized “Two Million Mile” plaque.
- Two “Two Million Mile” shoulder patches.
- Personalized “Two Million Mile” leather/wool varsity-style jacket.

*\* Awarded quarterly.*

#### Three Million Mile Safe Driving Award

Regular road drivers who have driven three million miles consecutively without a preventable accident will receive:

- Personalized “Three Million Mile” black leather travel bag.
- Personalized “Three Million Mile” plaque.
- Two “Three Million Mile” shoulder patches.
- “Three Million Mile” Seiko watch, 18K gold and stainless steel.

*\* Awarded quarterly.*

#### Bronze Safe Driving Award

Regular city drivers who have driven 15,000 consecutive hours without a preventable accident will receive:

- Personalized “Bronze Award” black leather travel bag.
- Personalized “Bronze Award” plaque.
- Two “Bronze Award” shoulder patches.

*\* Awarded quarterly.*

#### Silver Safe Driving Award

Regular city drivers who have driven 30,000 consecutive hours without a preventable accident will receive:

- Personalized “Silver Award” black leather travel bag.
- Personalized “Silver Award” plaque.

- Two “Silver Award” shoulder patches.
- Personalized “Silver Award” leather/wool varsity-style jacket.

\* *Awarded quarterly.*

#### Gold Safe Driving Award

Regular city drivers who have driven 45,000 consecutive hours without a preventable accident will receive:

- Personalized “Gold Award” black leather travel bag.
- Personalized “Gold Award” plaque.
- Two “Gold Award” shoulder patches.
- “Gold Award” Seiko watch, 18K gold and stainless steel.

\* *Awarded quarterly.*

### SECURITY

Theft constitutes one of the most costly casualty losses in the freight business. Each year, millions of dollars worth of freight and equipment are lost to thieves. Growth and expansion of ABF in recent years have created the need for increased physical security. The potential dollar losses associated with inadequate physical security are frightening. They involve the actual cost of stolen freight and equipment, cost of theft investigation, and losses resulting from a dissatisfied customer whose shipments are stolen. This may result in a shipper choosing another carrier for future shipments, causing a decrease in sales and possible loss of jobs.

The security policy of ABF Freight System, Inc., is to protect our customers' freight and company assets from external and internal theft. The security policy will be accomplished by adhering to the following security procedures.

#### CITY DRIVERS

1. Verify your load before leaving the terminal. Check your bills against the manifest.
2. Know your route and follow it. Have an emergency phone number in case of trouble and arrange a communications schedule with your dispatcher to keep him/her informed.
3. While on the street, your trailer or cargo box must be properly secured with a company padlock at all times except when loading or unloading.
4. While driving, keep doors locked and windows rolled up as far as possible.
5. When parked on the street or at a customer's location, the engine must be turned off, ignition key removed from the ignition switch, windows rolled up, and doors locked.
6. While at a customer's location, do not let down your guard. Do not leave the truck unattended longer than necessary. No unauthorized persons are allowed in the truck.
7. Pay attention to loading and unloading. Do not leave freight on the street unattended. Do not accept someone else's freight count. You must always properly count the freight.
8. Delivery of freight should be to the proper party and at the address shown on the delivery receipt.
9. If you feel that the freight you are handling is suspicious in nature or is labeled or described erroneously, contact your supervisor immediately.

10. Never discuss the nature of your cargo in truck stops, coffee shops, over the CB radio or through other means with anyone not authorized access to such information.
11. When you are on break or at mealtime, the truck should be parked in an area that it is easily observed. The engine must be turned off, the ignition key removed, windows closed, and doors locked. Be sure to check the padlock on the trailer or cargo box when returning to the truck to ensure that it has not been tampered with.
12. You should always be aware of your surroundings. If you observe anyone suspiciously following you or wandering around the dock area, break room area, terminal area, or your assigned unit, contact your supervisor immediately.
13. Upon pickup of high-value/theft-prone shipments, contact your dispatcher for security instructions.
14. Report all theft, attempted theft, and suspicious shortages immediately to your supervisor and/or the Safety and Security Department.

## ROAD DRIVERS

1. Verify that you have the correct units for your assigned dispatch prior to leaving the terminal.
2. Check the cargo seal and/or padlock on all loaded trailers during pre-trip inspection and after being away from the truck during dispatch to ensure that they have not been tampered with. Notify your supervisor of any discrepancy.
3. Be sure to follow the padlock switch program when dropping and picking up the trailers at a terminal. Remove the padlocks on your outbound trailers and apply the padlocks on your loaded inbound trailers. However, if your trailer(s) is equipped with a permanently mounted padlock, make sure it is locked if the trailer is loaded or empty. Other security instructions may be required by the terminal, including backing the trailer to the dock, backing to each other or backing to another barrier.
4. When you leave your truck unattended at a closed terminal or relay station, the engine must be turned off, the ignition key removed, windows closed, and doors locked. The ignition key shall be placed with the manifest in the designated place for that terminal or relay station.
5. When you leave your truck unattended while on break or at mealtime, the truck should be parked in an area that is easily observed with ade-

quate lighting. The engine must be turned off, the ignition key removed, windows closed, and doors locked. Be sure to check the trailer seal and/or padlock on the trailer when returning to the truck to ensure that it has not been tampered with.

6. You will immediately report any breakdown or other reasons for delay.
7. Never discuss the nature of your cargo in truck stops, over the CB radio or through other means with anyone not authorized access to such information.
8. Stay on schedule and on the proper route. Have an emergency phone number in case of trouble.
9. When rest stops are necessary, park in areas where other motorists are present.
10. During dispatch or when arriving at a terminal, be aware of your surroundings and report anything suspicious or unusual, such as suspicious vehicles or persons, unlocked gates, open loaded trailers, open doors at the terminal, freight out of place, etc.
11. While driving, keep doors locked and windows rolled up as far as possible.
12. If you are dispatched to a terminal that has a security alarm system, be aware of the operational functions of the system. If you are unsure how to operate the system or the system is not operating correctly, notify your supervisor immediately.
13. Do not pre-hook your outbound trailers when you are going off duty.
14. No unauthorized persons are allowed in the truck.
15. Report all theft and attempted theft immediately to your supervisor and/or the Safety and Security Department.

### SECURITY AWARENESS

1. Always be aware of your surroundings. Pay attention when you leave from a customer pickup or leave the terminal for deliveries or dispatch. If you detect that you are being followed, contact your supervisor immediately. Also, pay special attention when you stop for lunch and breaks for suspicious activity around your unit. Always follow the city and road drivers' security instructions.

2. Occasionally, special security message posters are printed. The posters are displayed in a conspicuous place, such as on the employee bulletin board, for your review.
3. "Emergency Phone Numbers" cards are furnished by the Safety and Security Department. They are posted close to the front entrance of the terminal and visible from outside the building. One is also posted in the drivers' room.

### WORKPLACE VIOLENCE

Although workplace violence in the transportation industry has not reached epidemic proportions, as reported in other workplaces, we would be very naïve to assume that it doesn't exist or may become a problem in our industry.

As part of the ABF family, you have the responsibility to adhere to company policy concerning violence in the workplace:

1. If you are witness to or are involved in a workplace violence incident, you must report the incident to a supervisor immediately.
2. Aggressive or violent behavior towards co-workers, customers, and the general public will not be tolerated.

### SECURITY ALARM SYSTEM

ABF has many terminal facilities that have a perimeter alarm system. You will be given specific pass codes by your linehaul supervisor or branch manager that will operate the security system at the specific location. Do not share the pass code with anyone else other than the security alarm monitoring center when requested.

If you accidentally activate the alarm, immediately contact the local terminal management or your immediate supervisor. Be prepared to provide them with an explanation of the circumstances.

If you are having problems operating the system or the system is malfunctioning or damaged, contact the local management or your immediate supervisor and explain the problem.

Following are operating instructions of the two types of security alarm systems that are in place at many ABF terminals. Please review these instructions. If you have any questions, contact your immediate supervisor.



ADT Security Alarm  
Operating Instructions  
Turning the Security Alarm ON/OFF

1. Enter the assigned security pass code number.
2. Push the "Turn ON" or "Turn OFF" button.
3. Push the "Driver's Gate" button.
4. The red (on) or green (off) light will illuminate.

Reminder: The perimeter may stay active. Stay clear of the fence line.

Sentry Electric Fence Alarm  
Operating Instructions  
Turning the Security Alarm ON/OFF

1. Enter the assigned security pass code number.
2. The RED traffic light indicates alarm is ON.
3. The GREEN traffic light indicates the light is OFF.
4. Watch traffic light for correct alarm condition.

Reminder: The perimeter may stay active. Stay clear of the electric fence line.

COMPANY ID CARD

In order to enhance employee and terminal security and to comply with customer requirements, ABF has initiated a systemwide employee ID card program.

Your issued card will have your name and payroll ID number, as well as your assigned terminal address and phone number, on it.

If your card is lost, stolen or mutilated, you must notify your branch manager immediately and advise of the circumstances so a replacement card can be issued.

While on duty, the card must be in your possession for identification purposes at customer and terminal locations. You will show the card, if requested, at such locations.

You must fully understand the importance of handling the card properly. If lost or stolen, the card could be used to fraudulently represent ABF and/or you and must be treated in the same manner as a personal credit card or driver's license.

## SECRET WITNESS PROGRAM/REWARD POLICY:

1. ABF Freight System, Inc., will pay a reward up to \$5,000 to any person providing information resulting in the arrest of persons committing theft or other crimes against ABF or for information leading to the recovery of property stolen from ABF.
2. Anyone having information about any theft or other crime against ABF should call the Safety and Security Department 24 hours a day at 1-800-755-6486.
3. The telephone call will be kept confidential, and the caller does not have to give their name. A code number will be assigned.
4. Information can be mailed to the Safety and Security Department, ABF Freight System, Inc., P. O. Box 10048, Fort Smith, AR 72917-0048. The outside of the envelope should be marked with the word "Security."
5. ABF Freight System, Inc., will pay up to \$5,000 depending on the importance and accuracy of the information furnished and its value in obtaining an arrest and/or recovery of stolen property. ABF, at its sole discretion, will determine the amount of the reward.

## CONCLUSION:

The day-to-day security objective is to leave no doubt that theft of a customer's freight, company assets, and violent behavior will not be tolerated. All reported incidents will be met with a vigorous policy of investigation, arrest, and/or termination. The Security section of this handbook was developed to protect you, our customers' freight, company assets, and the general public. ABF believes that communicating security awareness to its employees is a valuable part of the company's success. Thank you for your contribution by being security-conscious.

## Section 15

### HAZARDOUS MATERIALS SECURITY PLAN AND AWARENESS SUMMARY

ABF's objective is to be successful in safeguarding hazardous materials shipments in transit against terrorist attacks or sabotage. ABF is committed to focus on the risks associated with transporting hazardous materials shipments by developing a security plan to evaluate and manage such risks in a proactive manner and to communicate the plan to its employees.

The trucking industry transports hundreds of thousands of Hazardous Materials shipments per day, which are essential to the economy of the United States. The majority of these shipments arrive safe and secure at their destination. Most incidents that do occur involve small releases of material that usually pose no serious threat to life or property. However, these essential shipments could be potentially deadly weapons in the hands of terrorists.

The Hazardous Materials regulations are designed to achieve two goals: (1) to ensure hazardous materials are packaged and handled safely during transportation, thus minimizing the possibility of their release should an incident occur, and (2) to effectively communicate to the carriers, transportation workers and emergency responders the hazards of the material being transported. According to the D.O.T., hazardous materials are most vulnerable when in transit. ABF transports approximately 419 D.O.T.-regulated hazardous materials shipments daily. ABF chooses not to transport certain types of D.O.T.-regulated hazardous materials. These hazardous materials are:

- Class 1.1 Explosives
- Class 1.2 Explosives
- Class 1.3 Explosives
- Nitrocellulose with Alcohol UN 2556
- Commodities with elevated temperatures
- Class 6.2 Infectious Substances
- Class 7 Radioactive Materials
- Gasoline UN & NA 1203
- Hazardous Waste

As a result of the terrorist attacks of September 11, 2001, a broad review of government and industry hazardous materials transportation safety and security programs was conducted. The discussion of continuing terrorist threats of the possible use of certain hazardous materials in transit being used as a weapon of mass destruction gave concern for the trucking industry to modify and communicate hazardous materials security policies and procedures to its employees.

ABF realizes that employees are on the front line and directly affect the safety and security of hazardous materials shipments. By adhering to the hazardous materials regulations and security policies, ABF will be successful in deterring the intentional misuse of hazardous materials.

ABF has developed specific security procedures that must be followed:

1. You should always be aware of your surroundings. If you observe someone or something suspicious around the terminal area, office or your assigned unit, contact your supervisor immediately.
2. If you receive a suspicious package or mail, do not try to open it. Isolate the parcel and notify your supervisor immediately.
3. If you receive a phone call or other communication that is suspicious or threatening, such as a bomb threat or other threats against persons or property, notify your supervisor immediately. Make sure that you document the information of the incident.
4. Make sure that your personal effects, such as driver's license, ID cards, etc. are properly secured.
5. Make sure that our customer's freight, company property and equipment are properly secured.
6. If you feel that the freight you are handling is suspicious in nature or is labeled or described erroneously, contact your supervisor immediately.
7. Make sure that your trailer or cargo box is properly secured with a padlock at all times prior to and after pickups and deliveries are made.
8. Check the trailer seal prior to your dispatch to ensure that it has not been tampered with.
9. Always check the trailer seal when returning from a break or lunch while on the road.
10. Be sure to follow the padlock switch program when dropping the trailers at a terminal.
11. If you are dispatched to a terminal that has a security alarm system, be aware of the operational functions of the system. If you are unsure how to operate the system or the system is not operating correctly, notify your supervisor immediately.
12. Never discuss the nature of your cargo in truck stops, over the CB radio, or through other means with anyone not authorized access to such information.

ABF employees are responsible for adhering to all company policies and procedures. Employees are required to immediately report safety and security-related incidents or emergencies to their supervisor and/or the Safety and Security Department 24-hour hot line (800-755-6486).

### HAZARDOUS MATERIALS

#### Driver Requirements

This section is intended to familiarize you with the hazardous materials regulations that primarily affect you as a driver and is not intended to be a complete summary of the hazardous materials regulations. If any employee needs assistance in the hazardous material regulations, they are encouraged to contact the ABF Safety and Security Hot Line at (800) 755-6486 anytime day or night.

ABF Safety and Security has developed a Hazardous Materials Program booklet, which every employee receives during their training. Employees are encouraged to keep this booklet available for reference. Additional booklets are available from the ABF Safety and Security Department.

The most important step to ensure compliance with the hazardous materials regulations is recognizing hazardous materials at the point of origin. City drivers should utilize the "City Drivers Hazardous Materials Checklist" and the "Drivers Hazardous Materials Pocketbook" with every hazardous material shipment to assist them in determining if the shipment is in compliance. Noncompliance issues must be corrected prior to accepting the shipment.

The following hazardous materials are not transported by ABF:

- 1.1 Explosives
- 1.2 Explosives
- 1.3 Explosives
- Gasoline UN & NA 1203
- Nitrocellulose with Alcohol UN2556
- Class 7 Radioactive Materials
- Elevated Temperature
- Infectious Substances
- Hazardous Wastes

#### Shipping Paper

The basic description of a hazardous material on a shipping paper must include:

- (1) The proper shipping name.
- (2) The hazard class.
- (3) The identification number (preceded by UN or NA, as appropriate).
- (4) The packaging group, if any.
- (5) Quantity of material.
- (6) Only authorized abbreviations or codes may be used.
- (7) Additional information concerning the material may be included, provided the information is not inconsistent with the required description.
- (8) Technical names, when required, for generic descriptions.

Additional descriptions or information is required on shipping papers for the following:

- (1) Shipments made under a DOT exemption.
- (2) Materials shipped in a limited quantity.
- (3) Hazardous substances – RQ.
- (4) Radioactive materials.
- (5) Empty packaging.
- (6) Materials required to be labeled with a "Dangerous When Wet" label.
- (7) Poisonous materials – liquids with an inhalation hazard and poison gas.
- (8) Anhydrous ammonia or liquefied petroleum gas.

### Shipper Certification

The certification is required on the original bill of lading that is provided to ABF at the time the freight is accepted. The certification is not required on ABF-generated paperwork, i.e., pro, manifest, etc.

### Packaging

1. Check visible packaging for:
  - (a) Leaks.
  - (b) Visible damage having a potential for resulting in a leak or spill.
  - (c) Loose or missing lids on drums.
  - (d) City P&D drivers should refuse any hazardous material and any non-hazardous liquid or solid that is contained in a compromised or leaking package.
2. Precautions:
  - (a) Inspections should consist of a visual examination of containers/packaging.
  - (b) If there are unidentified liquids, solids, vapors or odors leaking from closed vehicles or containers, the vehicle should be left alone if in a safe spot or moved to the safest location available away from people, traffic, buildings, drainage systems, and bodies of water if safe to do so.

### Labeling (Package)

1. Check for compliance with the following requirements:
  - (a) Packages containing a hazardous material must bear the label(s) specified in Column 6 (Label Codes) of the Hazardous Material Table. This requirement does not apply to limited quantities.
  - (b) Labels are prohibited on packages that do not contain a hazardous material.
  - (c) Labels must be printed or affixed near the marked proper shipping name.

- (d) Multiple labels must be placed next to each other, within six inches.

### Marking (Package)

1. Check to verify:
  - (a) Proper shipping name.
  - (b) Identification number.
  - (c) Consistency with shipping papers.
  - (d) Name and address of consignee or consignor.
  - (e) Compare proper shipping name and the identification number on the shipping paper to the markings on the package.

### Specific Requirements

1. Liquid Hazardous Material. Must have package orientation markings with the arrows pointing in the correct upright direction when the package has inner containers filled with a liquid. This requirement does not apply to limited quantities of flammable liquids under certain conditions.

Hazardous Substances. Must have the name of the hazardous substance constituent if it is not included in the proper shipping name. If shipping a reportable quantity, an "RQ" must be displayed in association with the proper shipping name.

ORM-D. Must be marked with the appropriate ORM designation within a rectangle or on an attached tag if designation cannot be affixed on the package surface.

2. Poisons  
ABF may not transport packages bearing a poison or poison inhalation label in the same vehicle with materials that are marked or known to be foodstuffs unless it is packed in a metal drum or bears a poison label that displays the text PG III or bears a PG III mark next to the label.
3. Verify that load is:
  - (a) Secured against movement within the vehicle, and
  - (b) Braced to prevent relative motion between containers and the transport vehicle.

### Placarding

1. Check vehicle(s) for:
  - (a) Does vehicle contain required number of placards, (at least one mounted on each side and each end of vehicle) and are they displayed properly?



- (b) Is vehicle placarded with type of placard that represents materials being transported?

2. Requirements:

- (a) Placards in conformance with requirements based on the hazard present and the quantity on the transport vehicle.
- (b) Each motor vehicle containing any quantity of a hazardous material listed in Table 1 must be placarded as required in that table.
- (c) Each motor vehicle containing 1,001 pounds aggregate gross weight or more of a hazardous material listed in Table 2 must be placarded as required in that table. A motor vehicle containing two or more classes of materials requiring different placards specified in Table 2 may be placarded "Dangerous" in lieu of those specified placards. However, whenever 2,205 pounds or more of one class of materials is loaded at one facility, the placard specified for that class in Table 2 must be applied.
- (d) Placards must be located in a position that is clear of obstructions.
- (e) Placards must be legible.
- (f) Placards must be visible from the direction they face.
- (g) Placards must be placed at least three inches away from any marking or advertising that could reduce their effectiveness.
- (h) Placards must be secured so that the words or identification numbers appear horizontally and read from left to right and hazard class number displayed in lower corner.
- (i) Adhesive-backed placards are to be stuck to the trailer with the adhesive and never placed into the placard brackets/holders that are installed on the trailer. The only type of placard that is to be placed in the placard brackets/holders is the tag-board placards. The tag-board placards are a stiffer cardboard-backed placard made for the placard brackets/holders.

Marking (Trailer)

- 1. Non-Bulk Packages. Large quantities of a single hazardous material in non-bulk packages. A trailer containing only a single hazardous material in non-bulk packages must be marked, on each side and each end, with the identification number specified for the loaded hazardous material. The ID number is required to be on an orange panel or bulk

placard when:

- (a) Each package is marked with the same proper shipping name and identification number;
  - (b) The aggregate gross weight of the hazardous material is 8,820 lbs or more;
  - (c) All of the hazardous material is loaded at one loading facility;
  - (d) The trailer contains no other material, hazardous or non-hazardous;
  - (e) The ID marking requirements do not apply to Class 1 explosives or non-bulk packages for which identification numbers are not required.
2. Bulk Packages. An orange panel or bulk placard with the ID number on it is required to be placed on the trailer when bulk containers are loaded onto a trailer. ABF commonly handles totes and cylinders that meet the bulk definition. Note: A bulk container that contains only a residue still requires the trailer to be placarded and marked with the ID number.

A bulk package is defined as:

- (a) Liquid – a maximum capacity greater than 119 gallons as a receptacle for a liquid
- (b) Gas – a water capacity greater than 1000 lbs as a receptacle for a gas
- (c) Solid – a maximum net mass greater than 882 lbs and a maximum capacity greater than 119 gallons as a receptacle for a solid

### Handling Chemical Spills

In the event of a hazardous materials spill, every ABF employee must follow these basic steps to ensure the safety of everyone in the area. First, isolate the shipment and keep everyone away. Employees of local operations must immediately notify their supervisor who will contact the Safety and Security Department Hot Line at (800) 755-6486. Road drivers should contact the hot line direct to report a spill.

A representative of the Safety and Security Department will obtain all pertinent information, such as what and how much is spilled, the location, the shipper's name, and ABF's pro number. Then they will give you immediate steps to follow to protect human life and the environment. They will also instruct you, if required, on whom to contact for assistance locally.

A detailed log should be kept, indicating important information, such as whom you talked to and what you were instructed to do. Also, make a note of the time important events occurred. The Safety and Security Department has a form called Hazardous Materials Incident Reporting Checklist to assist you in these areas.

If one can do so without endangering his safety or the safety of others, keep the spill area to as small an area as possible. Protect storm drains and drainage ditches from any possible contamination from spill runoff. However, under no circumstances shall an ABF employee participate in an emergency response operation. If the spill requires such an emergency response operation, the Safety and Security Department will contact a reputable contractor in the area and have them respond to the scene.

After the spill is contained and the damaged container has been recouped in a recovery drum/pail, remember to mark and label all the required hazardous materials information on the outside of the recovery drum/pail. Also, leave all the necessary information for the person responsible for completing the Department of Transportation Hazardous Materials Incident Report.

#### Basic Reminders:

1. Before loading any hazardous materials shipments on a trailer, make sure they are compatible with all other shipments on the trailer. Remember, do not load poisons (6.1 PG I and II) on the same trailer that contains foodstuffs. However, materials classed as (6.1 PG III) can be loaded on the same trailer with foodstuffs as long as they are loaded in a manner that prevents any commingling of the products in the event of a spill. It is recommended that you separate these shipments with as much distance as possible.
2. The hazardous materials regulations require a motor carrier to ensure that packages are secured against movement within a vehicle to prevent shifting or falling under conditions normally incident to transportation. The conditions most often include vehicle starting, stopping, cornering, accident avoidance, and varied road conditions. The requirements are met when packages of hazardous materials are secured in a manner that precludes movement within the transport vehicle, e.g., blocking with other freight, use of tie-downs, toe-boards or banding. Freight secured to a pallet that is itself not prevented from movement relative to motion of the transport vehicle or containers wedged in the nose of the vehicle without rear support do not meet the requirements for being secured against movement within the vehicle. That would mean when drums are secured to a pallet with shrink-wrap, it is also necessary to secure the loaded pallet against movement.

3. Before leaving company property, make sure your unit contains the most current version of the Emergency Response Guidebook (ERG Book). Hazardous materials shipping documents must be kept on top of all other paperwork. When driving, remember to keep the hazardous materials bills and the Emergency Response Guidebook within your reach with your seatbelt fastened. When away from the unit, leave the hazardous materials bills and the Emergency Response Guidebook in the driver seat or door pouch.
4. If placards are required, be sure the proper placards are displayed on all four sides of the unit. All placards, except "Dangerous," must have the hazard class number in the lower corner of the placard.
5. Always avoid crowds, tunnels, and narrow streets when transporting hazardous materials and use the designated hazardous materials route. Inspect your tires at the beginning of each trip and every time the vehicle is parked.
6. No smoking is allowed within 25 feet of a placarded load of flammables, explosives or oxidizers.
7. If you should ever have any questions regarding hazardous materials shipments, ask your supervisor or contact the Safety and Security Hot Line by calling (800) 755-6486 anytime day or night.

#### 397.7 PARKING

A motor vehicle that contains hazardous materials, other than Division 1.1, 1.2, and 1.3 Explosives (which ABF does not transport), must not be parked on or within five feet of the traveled portion of a public street or highway except for brief periods when the necessities of operation require the vehicle to be parked and make it impractical to park the vehicle in any other place.

ALL ACCIDENTS – HAZARDOUS MATERIAL INCIDENTS MUST BE REPORTED IMMEDIATELY BY CALLING (800) 755-6486.

#### 397.11 FIRES

- (a) A motor vehicle containing hazardous materials must not be operated near an open fire unless its driver has first taken precautions to ascertain that the vehicle can safely pass the fire without stopping.
- (b) A motor vehicle containing hazardous materials must not be parked within 300 feet of an open fire.

#### 397.13 SMOKING

No person may smoke or carry a lighted cigarette, cigar or pipe on or within 25 feet of:

- (a) A motor vehicle that contains explosives, oxidizing materials or flammable materials, or

- (b) An empty tank motor vehicle that has been used to transport flammable liquids or gases and which, when so used, was required to be marked or placarded in accordance with the rules in 177.823 of this title.

#### 397.15 FUELING

When a motor vehicle that contains hazardous materials is being fueled:

- (a) Its engine must not be operating, and
- (b) A person must be in control of the fueling process at the point where the fuel tank is filled.

#### 397.17 TIRES

- (a) The driver must examine each tire on a motor vehicle at the beginning of each trip and each time the vehicle is parked.
- (b) If, as the result of an examination pursuant to paragraph (a) or otherwise, a tire is found to be flat, leaking or improperly inflated, the driver must cause the tire to be repaired, replaced or properly inflated before the vehicle is driven. However, the vehicle may be driven to the nearest safe place to perform the required repair, replacement or inflation.
- (c) If, as the result of an examination pursuant to paragraph (a) or otherwise, a tire is found to be overheated, the driver shall immediately cause the overheated tire to be removed and placed at a safe distance from the vehicle. The driver shall not operate the vehicle until the cause of the overheating is corrected.
- (d) Compliance with the rules in this section does not relieve a driver from the duty to comply with the rules in 397.5 and 397.7.

#### 392.10 RAILROAD CROSSING

Motor vehicles must make a full stop within 50 feet and no closer than 15 feet of the nearest rail when placarded or marked or when carrying any quantity of a Division 2.3 chlorine. After ascertaining that no train is approaching, the driver may cross the tracks in a gear that permits the vehicle to complete the crossing without a change of gears. The driver must not shift gears while crossing the tracks.

## Section 17

### SAFE DRIVING/ SEATBELTS/ SPACE CUSHION DRIVING

Defensive driving and space-cushion driving, as developed by the National Safety Council and the Smith System, have been around for many years and are very similar in nature. Driving defensively and managing the space around your vehicle simply means that the professional will always be alert and prepared for the unexpected. Some of the concepts may be new to you, but experience and common sense usually teach us the same things. For example:

#### Right-of-Way:

At an intersection of streets or highway, the vehicle on the right usually has the right-of-way if both reach the intersection at the same time. However, a safe driver will never demand the right of-way.

#### Speed:

Always remember that the posted speed limit may not be a safe speed for a commercial vehicle. You should never overdrive your headlights at night, and you should slow down during inclement weather conditions.

Remember: The faster you are going, the longer it may take you to stop your vehicle if an emergency presents itself.

#### Clear View:

A clean windshield, efficient windshield wipers, clean lenses on all lamps, clean windows, and properly adjusted, clean rearview mirrors are necessary for a clear and unobstructed view.

#### Slowing Down, Stopping, and Parking:

Always slow down when approaching intersections or curves. Use appropriate signals.

Stopping or parking on the open highway should be avoided whenever possible. Vehicles should be parked off the traveled way where they will not interfere with the normal flow of traffic; where they will not obstruct the view of other drivers; and where they will not be parked in violation of the law. If necessary to park on the highway, the driver should pull the unit as far to the right as possible and turn on the four-way flashers. You should never park along the side of the roadway except in an emergency.

However, if you must park on the side of the roadway, place your triangle reflector as soon as possible in accordance with Part 392.22 of the Federal Motor Carrier Safety Administration regulations.

#### Turning at Intersection:

Before stopping or changing course of direction, you should plan ahead of time and slow down gradually to give the drivers following a chance to change pace and act accordingly.

### Right Turn:

Before making a right turn, you must:

- Check your mirrors. Keep your eyes moving, checking the roadway ahead, as well as the turning radius of your trailer.  
Remember: The trailer will off-track behind the tractor, which means adequate clearance must be allowed for the trailer.
- Use your turn indicators at least 100 to 300 feet prior to turning to alert other motorists of your intended actions.
- Slow down in advance of the turn.
- Scan the intersection for potential problems as you approach.
- Keep as close to the right side as possible, and do not leave room for someone to squeeze between you and the curb.
- Avoid striking the curb with your trailer.

### Left Turn:

- Check your mirrors. Keep your eyes moving, checking the roadway ahead, as well as the turning radius of your trailer.  
Remember: The trailer will off-track behind the tractor, which means adequate clearance must be allowed for the trailer.
- Use your turn indicators at least 100 to 300 feet prior to turning to alert other motorists of your intended actions.
- Slow down in advance of the turn, and when necessary.
- Scan the intersection for potential problems as you approach.

### Safe Following Distance:

As previously written in this handbook, ABF following distance between ABF units on the open roadway is one-half mile and one city block while driving in town.

Some drivers deliberately crowd so closely that if the vehicle ahead comes to an abrupt stop, a rear-end collision is likely to occur. An ideal following distance allows you to stop or take corrective action to avoid a collision. Several studies have been done which suggest a minimum of four seconds following distance, meaning that you should be at least four seconds behind the vehicle ahead when driving your personal vehicle. The experts have suggested one second for each 10 feet of vehicle length when operating a commercial vehicle, which would mean seven seconds for a set of doubles. These times are under ideal conditions. If the weather or other factors are in play, you must increase your following distance.

### Overtaking and Passing:

Passing another vehicle may well be the most dangerous driving maneuver for drivers of commercial vehicles. Using poor judgment while passing is a



major cause of accidents, and frequently, when you arrive at the next intersection or traffic signal, you and the vehicle you passed, or the vehicle that passed you, are sitting side by side, which means that the pass was not necessary.

However, if you have determined that you have a safe distance to safely pass, you must signal your intentions by activating your turn signal in advance. You must not only check the traffic conditions ahead, you must ensure that you are not being passed before you change lanes. Good judgment must be exercised concerning when to sound the horn, or even if it is necessary. Usually, you should never attempt to pass more than one vehicle at a time.

#### Being Passed:

When being passed, you must keep well to the right and, if necessary, reduce your speed to facilitate safe passing. Never speed up if you are being passed. If you are in the left lane, stay as far to the left as you can to give the passing vehicle adequate room.

Never signal another driver that it is safe to pass. The FMCSA regulations prohibit this practice.

At night, dim your lights after being passed to avoid creating glare to the other driver.

Be alert for the driver who tries to pass in an unsafe place. Do not try to block him/her, but be ready to take evasive action if it becomes necessary to avoid being involved in an accident.

#### Meeting Other Vehicles:

Always keep as far to the right as you safely can. Dim your lights well in advance of the approaching traffic so the other driver's view is not impaired. If you see another vehicle encroaching in your travel lane, move to the right onto the shoulder of the roadway, and if you have time, stop your vehicle. Never pull to the left in an attempt to avoid an oncoming vehicle.

#### Scanning the Roadway Ahead:

You should always scan the roadway ahead for potential problems. Scan at least 15 seconds ahead of your vehicle or to the next hill or curve. This allows you ample time to observe trouble ahead and adjust your driving to avoid a collision.

### Highway/Rural Driving:

You must be on the alert for places where the width of the road changes abruptly. This is especially dangerous at night and often occurs in construction zones. Generally, such areas are posted, and you should watch for warnings and adjust your driving to the changing conditions.

### Railroad Crossings:

Railroad crossings are well marked, and signs must be heeded. You must remember that you cannot shift gears in a commercial motor vehicle while crossing railroad tracks. You must also stop prior to crossing a railroad track if you are transporting any amount of chlorine or when transporting placarded quantities of hazardous materials. You must stop no closer than 15 feet but within 50 feet of the crossing.

### Pedestrians:

You must be on the alert for pedestrians walking on the highway or street, particularly at night. Unless it is necessary, do not drive too closely to the right-hand shoulder of the road, because many unwise pedestrians walk on the right-hand side of the road with their backs to the oncoming vehicles. Many also wear dark clothing, which offers poor visibility even with good headlights.

### Animals (Deer)

The problem with animals, as we all know, is the fact that they are unpredictable. It seems the headlights often confuse the animals, and they frequently run in the direction of the lights, which means they may enter the traveled portion of the highway. When you are traveling through areas with a large animal population, additional precaution is required. Avoiding the animal might be your first reaction; but, depending on the circumstance, avoiding the animal may cause you to lose control, resulting in a severe accident. The American National Standard Institute defines animal strikes as, "Occurrences that result in death, injury, or property damage caused by collisions with animals are considered to be motor vehicle fleet accidents, unless the death or injury is confined to the animal."

### Tire Failure:

In the event of tire failure, the vehicle may swing or steer toward the side having the failed tire. You should keep a firm grip on the steering wheel and hold the vehicle on its proper course. You should accelerate slightly, which will assist you in maintaining vehicle control. Once the vehicle is under control, engage the brakes and bring the vehicle to a safe stop. You should never panic-brake during the tire failure.

### Safe City Driving:

Driving in the city can be hazardous simply because of the congestion. While driving in the city, you should:

- Be extremely observant and obey all traffic control devices and/or signals.
- Be alert for mistakes or unexpected action of other drivers.
- Be aware of others and allow adequate space for trailer off-tracking.
- Never exceed the posted speed limit.
- Be patient; slower may be safer.
- Anticipate traffic signals. If the light has been green for an extended period as you approach, it is likely to change. Be prepared to stop.
- Do not assume it is safe to proceed when the light simply turns green. You must still be aware of others at the intersection, and make allowances should someone run a light.
- When stopping at an intersection, always stop behind the pedestrian crosswalk.
- Remember: Fire and rescue vehicles have the right-of-way. If you notice an emergency vehicle approaching, activate the four-way flasher and slow down to let the emergency vehicle proceed.
- Always be on the alert for parked vehicles, overhead objects, and stationary objects.

### Night Driving:

- Keep the windshield clean.
- Drive in the right lane unless circumstances prohibit.
- Avoid looking into the headlights of an oncoming vehicle. Look to the right of the roadway, and allow your peripheral vision to give you a clear vision of the roadway ahead.
- Always dim your headlights to avoid impairing the vision of an approaching driver.
- Running with your headlights on dim during fog, rain, etc., will reduce the glare and enhance your vision.
- Never overdrive your headlights. Speed is critical, and you must allow yourself ample time to stop should an emergency develop ahead.

### Special Precautions:

- You should never proceed over a flooded bridge or culvert.
- Pay attention and be alert in areas known to have animal traffic, such as deer. Adjust your speed as necessary to avoid a crash involving an animal.

- Always slow down when approaching and while driving through a school zone. Young children will frequently do the unexpected. Be alert. Be prepared to take corrective action.

### Backing Accidents:

Even though the severity of backing accidents is usually minor, these accidents are expensive and often destroy a perfect driving record for many professional drivers. Every year, backing accidents account for approximately 25-40 percent of all accidents, and most could be avoided by following a few simple precautions:

- Get out of the vehicle before backing and clear all six sides. Basically, size up the situation.
- Back from the driver side; avoid blind side whenever possible.
- Back slowly.
- Check both mirrors while backing.
- If necessary, use a reliable guide to assist you while backing.
- Sound your horn to alert others that you are backing.
- Always activate your emergency flashers while backing.

### WHY SEAT BELTS SAVE LIVES

The primary reason that seat belts save lives has to do with the physics of mechanical forces produced during an accident. Sir Isaac Newton's first law states that an object in motion will tend to stay in motion. This is true of the human body, as well as objects. Once a body and an automobile are both moving together at highway speeds — for example, 55 miles per hour — a collision causing a sudden deceleration in the vehicle will not immediately affect the continued motion of the human occupant inside, whose body will continue in the same direction at the same speed as it had been immediately prior to the accident. This means that, unless restrained, the human occupant will continue at 55 miles per hour into the steering wheel, dashboard, windshield or (if in the rear seat) into the seat back of the front seat or through the windshield (if no seat back is directly in front).

The injury potential during an accident rises dramatically once the occupant leaves his or her seat and becomes ejected from the vehicle. For the driver, whose continued ability to control the vehicle may prevent further damage or injuries, becoming suddenly unrestrained prevents him or her from being able to maintain control over the vehicle, adding further injury potential to the accident sequence.

A secured seat belt prevents the occupant from leaving the seat, greatly reducing (but not eliminating) the potential for fatal and/or severe injuries.

As previously noted in the handbook, ABF company policy requires the use of seat belts anytime you are driving an ABF vehicle. Not only is this a company policy requirement, it is mandated by the Federal Motor Carrier Safety Administrator, and it is simply the right thing to do. One study conducted by the Federal Motor Carrier Safety Administration revealed that as few as 40% of professional truck drivers actually wear their seat belt. Much has been discussed about seat belts over the years, and many people use lame excuses why they do not use this proven safety device to help save their lives if they are involved in a crash. You have most likely heard them all, but they are simply without merit.

- Seat belts are uncomfortable and restrict movement.

Fact: A few seconds adjusting the seat belt at the beginning of your trip will prevent discomfort.

- Wearing a seat belt is a personal decision that doesn't affect anyone else.

Fact: Not wearing your seat belt can certainly affect your family and loved ones. It can also affect other motorists since wearing a seat belt can help you avoid losing control of your truck in a crash.

- Seat belts prevent escape from a burning vehicle.

Fact: Seat belts can keep you from being knocked unconscious, improving your chances of escape. Fire and/or submersion occur in less than 5% of fatal large truck crashes.

- It is better to be thrown clear of the wreckage in the event of a crash.

Fact: An occupant of a vehicle is four times as likely to be fatally injured when thrown from the vehicle. In 2003, 171 truck drivers died when they were ejected from the cabs during a crash.

- It takes too much time to fasten your safety belt 20 times per day.

Fact: Buckling up takes about three seconds. Even buckling up 20 times a day requires only one minute.

- Good truck drivers don't need to wear safety belts.

Fact: Good drivers usually don't cause collisions, but it's possible that during your career you will be involved in a crash caused by a bad driver, bad weather, mechanical failure, or tire blowout. Wearing a seat belt prevents personal injuries.

- A large truck will protect you. Safety belts are unnecessary.

Fact: In 2003, 620 drivers of large trucks died in truck crashes and 309 of those drivers were not wearing seat belts. Wearing your seat belt improves your chance of survival by 50% if you are in a crash.

- Seat belts aren't necessary at low-speed driving.

Fact: In a frontal collision occurring at 30 MPH, an unbelted person continues to move forward at 30 MPH causing him/her to hit the windshield at about 30MPH.

ABF is confident that you will do the right thing and wear the seat belt. ABF needs you, and your family certainly needs you. BUCKLE UP!

#### Clearances:

- Bridges, tunnels, alleyways, tree limbs, wires, and similar obstructions demand special care on the part of the driver to avoid accidents.
- Road repair, rough road surfaces, snow, floods, and possibly unloaded trailers must be taken into account when gauging overhead clearance.
- Be very careful when approaching bridges, especially older bridges. The roadway or bridge may not have been designed to accommodate two commercial vehicles since each is 102 inches wide. If in doubt, stop and let the other vehicle clear the bridge before you proceed.
- You must know the height of your vehicle, usually 13 feet 6 inches. If you approach objects with a posted height of less than 14 feet, you should slow down to avoid a possible trailer bounce into the object. Pay attention and ensure the roadway has not been altered due to construction or other matters.
- Watch for fire escapes, shutters, open windows, awnings or other overhead obstructions in alleys, near curbing, or the traveled portion of the street or highway. Watch for low or sagging overhead power lines or cables.

#### Stop the Rollover:

Rollover accidents are very costly and most can be avoided if you understand how they happen and adhere to a few simple rules of safe driving:

### Rollovers May Occur If You:

- Fail to get proper rest.
- Fail to timely react to changing conditions.
- Overreact/correct.
- Speed too fast for conditions.
- Decelerate or accelerate through a curve.
- Drift off the roadway.
- Make sudden lane changes.
- Fail to recognize the vehicle limitations.

### Rollover Accident Contributing Factors:

- Combination Trailers – whip effect.
- Load – high center of gravity.
- Pre-Trip Inspection – failure of vehicle component parts.
- Surface – uneven lanes.
- Curve – improper banking.
- Posted Speed Limits – usually designed for cars, not heavy trucks.
- Condition of roadway if you drift out of your lane of travel.

### Rollovers – When, Where, Why:

- The majority of rollover accidents, which happen during the 8:00 a.m. to 4:00 p.m. period, occur when the vehicle is turning either right or left. A reasonable assumption would be that excessive speed is certainly a factor.

Solution: Know your equipment, your load, and slow down while making turns. The posted speed limit for turns is usually for passenger cars and may not be safe for heavy trucks.

- Over 60 percent of weather-related accidents occur between 4:00 p.m. and midnight. We could likely assume that the evening rush hours may play a role. As the sun sets, the temperature goes down and wet roads may become ice-covered. It could also mean that we are beginning our day, and we are preoccupied with other events and are allowing distractions to play a role in our driving and decision-making process.

Solution: During bad weather, you must slow down, increase your following distance, be prepared for the unexpected, and never let distractions influence your ability to drive safely.

- If the majority of the accidents that occurred between midnight and 8:00 a.m. are described as simply running off the road and offer no definitive answer as to why it occurred, one could rea-



sonably assume that sleep or the lack thereof may have played a part in those accidents.

Solution: Make sure you get adequate rest during your rest periods.

- Over 60 percent of rollover accidents happened while turning, changing lanes or during inclement weather. One could certainly assume that speed too fast for conditions or simply turning too fast played a significant role. This may very well be the most difficult item to determine, simply because no one likes to admit that, in fact, they were distracted. However, we had a couple of accidents where the driver was reaching for a thermos or snack food. Without question, these accidents should not have happened. Second, things that may have happened prior to dispatch may be distractions, which may include any number of problems.

Solution: Simply do not allow these distractions to influence your driving behavior. Things happen from time to time, but you simply cannot allow them to distract you from the task at hand.

- Weather-related, construction zone, or simply running off the roadway rollover accidents may be the result of overcorrections, which is understandable, but unacceptable. The majority of our rollover accidents involve only the rear trailer and, without question, the whip effect plays a role in that.

Solution: Do not drive yourself into those situations where you must make panic corrections. If you do get in a bad situation, do your best to avoid panic braking and, if possible, drive the vehicle back onto the roadway or to a safe place.

- The condition of the highway is rarely the cause of an accident; however, it may be a contributing factor in some rollover accidents due to the sharpness of curves, the super elevation of curves, etc. On the other hand, inclement weather can certainly change the highway condition, as well as make the highway slippery where loss of traction may happen.

Solution: Slow down during bad weather and while going around sharp curves. Excessive speed causes rollover accidents because of the centrifugal forces that happen to the vehicle while turning.

#### Rollovers Prevention Tips:

- Avoid fatigue.
- Stay alert. Keep your eyes moving.
- Maintain a safe following distance.

- Be aware of changing road conditions and adjust your driving.
- Remember that posted speed limits are targeted at cars and may be too fast for heavy trucks.
- Avoid braking when changing lanes, if possible.
- Avoid braking in a curve.
- Do not use cruise control on curving roadways or during inclement weather.
- Key number one – DO NOT DRIVE YOURSELF INTO UNSAFE SITUATIONS.

#### Avoid the Squeeze Play:

Be careful when making wide right turns. If a car tries to get between you and the curb, you'll be caught in a "squeeze" and can suffer a serious accident. Truck drivers sometimes need to swing wide to the left in order to safely negotiate a right turn, especially in urban areas, but you always keep the right lane blocked with the trailer.

#### Aggressive Drivers:

Aggressive drivers can be dangerous drivers. They put themselves and others at risk with their unsafe driving. Speeding, running red lights and stop signs, pulling in front of trucks too quickly when passing, and making frequent lane changes, especially in the blind spots of trucks, can create dangerous and potentially fatal situations on the road. These situations can lead to road rage not only for the aggressive driver, but also for others sharing the road. Inattentive drivers do not pay attention to driving or what is going on around them. They can be just as dangerous as aggressive drivers when they drive slowly in the passing lane, ignore truck brake lights or signals, and create an emergency braking situation.

#### Drinking and Driving:

Drinking and driving do not mix. Alcohol affects a person's ability to make crucial driving decisions, such as braking, steering or changing lanes. Remember: You are not the only one in danger when you decide to drink and then drive.

#### Simple Tips – Possible Lifesavers:

- Always buckle up.
- Never force the right-of-way.
- Anticipate mistakes from others.
- Drive defensively, not aggressively.
- Be patient.
- Never, never drink and drive.

## Space Cushion Driving

ABF is a willing partner and advocate of the Smith System or commonly known as Space Cushion Driving techniques. The Smith System consists of “Five Keys” which, if used properly, will prevent vehicular accidents. The five keys are:

1. Aim High In Steering
2. Get the Big Picture
3. Keep Your Eyes Moving
4. Leave Yourself an Out
5. Make Sure They See You

### Aim High in Steering

Aiming high in steering in very simple terms means that you must expand your eye lead time. For example, if you focus your eyes on something positioned on the ground, your upward vision is limited. However, if you focus your vision horizontally or upward, you will still have vision of the ground as well as overhead.

Let’s take another look. As humans, our vision has evolved to basically take care of us while we are doing a normal activity such as walking. The problem is, most of us walk even during exercise at only 3 to 4 miles per hour, which means our eyes have plenty of time to relay information to the brain and make correct decisions because of what we see. Contrast that with the speed we are traveling in a vehicle at 60 miles per hour. We must perceive a hazard quicker in order to react correctly because we are traveling so much faster.

Aim high in steering helps to adjust for the speed factor, which does not actually impair our vision, but gives us additional time to perceive potential hazards and react. We should be looking at least 15 seconds ahead of our vehicle. This means that our eye lead time should be looking well down the roadway in front of us.

You can check your eye lead time by observing a fixed object down the roadway and counting until you reach that point. If you count one thousand one, one thousand two, etc., the time it takes to get to one thousand fifteen is about 15 seconds. If you are not looking that far down the road, you may be placing yourself in an unsafe driving position. You are not allowing yourself enough time to react should an emergency situation develop.

### Get the Big Picture

Getting the big picture and keeping it is not difficult. However, every driver must work at the process, which brings us to the real concept of the big

picture. In order to get the big picture, we must be aware of the space around the vehicle. This is impossible to do unless we use our mirrors effectively. Over 50% of our accidents can be related to improper or lack of mirror usage.

While driving, your eyes are moving and you are absorbing both relevant and nonrelevant objects, and you are constantly reacting to these objects. Relevant objects, of course, could signal trouble, and we must reject non-relevant objects as not posing a problem. However, if we fail to get the big picture, we are missing both relevant and nonrelevant objects, which may mean trouble ahead.

Vision barriers are constantly presenting themselves. For example, a truck just passed us and pulled back in front. Now, we have a 13-foot-tall object in front, which limits our vision and obstructs our relevant and nonrelevant objects. It is impossible to prevent or certainly not likely that we can prevent others from passing. But, we do have the ability to position our vehicle to limit the obstruction by increasing our following distance or changing lanes if we can safely do so.

You may be saying you cannot do that in heavy traffic, which is somewhat correct. However, if you will slow down only one mile per hour below the normal traffic flow, the vehicles will pass you at a faster rate of speed. Therefore, you will spend less time in the critical area because your following distance will increase at a faster rate.

Maintaining a correct following distance is hard work, but well worth the effort. Suppose you are following a vehicle ahead so closely that every time you see brake lights you must immediately jump on your brakes to avoid a rear-end collision. Who really has control of the vehicle you are driving? If you must react quickly and hit the brakes in a panic mode, you are likely following too close and the other guy is really in charge of not only his vehicle but yours as well.

### Keep Your Eyes Moving

There are two types of vision that we all have, central and peripheral. Our central vision focus is normally about 3 degrees, while our peripheral vision is often 180 degrees.

Central vision is very narrow. For example, if you are driving down the road and focus on a single object, your vision becomes very narrow, especially if you focus too long and turn that look into a stare. A good example of this is if you are sitting stationary at a traffic signal and you focus on the light, you really lose sight of other objects. On the other hand, if you keep your eyes moving every couple of seconds, you will maintain the awareness of space around your vehicle.

Remember, we must keep information flowing so we can recognize relevant and nonrelevant objects. One of the best ways to accomplish that task is to keep our eyes moving.

You should never allow yourself to become fixated on a single object. The more you stare at the object, the more narrow your vision becomes.

Keep those eyes moving, and get the information that you need to make informed driving decisions.

### Leave Yourself An Out

All of us have driven in traffic, both in the city and out on the open roadway. You may have noticed, traffic usually moves in clusters. Some traffic clusters are caused by traffic signals, etc., in the city; however, this is also the norm on the open roadway. This occurs even on our interstate highway system. There may be major gaps between traffic where there are no vehicles, and then six, eight, or ten vehicles will be bunched together.

Although there are numerous single vehicle accidents, a large number are multiple vehicle collisions. We all know if two vehicles are trying to occupy the same space, a collision happens. The principal of leaving yourself an out is based on the concept of managing the space around your vehicle. If we manage the space correctly, we will avoid the clusters.

It is not difficult to manage the space ahead. We can control the following distance. We can manage the space fairly easily to one side of our vehicle by choosing the correct lane of travel, and we can manage the other side by assisting others that are passing or making sure we really need to pass ourselves. However, the space behind our vehicle is more difficult to control. If someone is tailgating, we can sometimes tap the brake lights or slow down just a little and they will pass and get out of our way.

You must anticipate what others are going to do. Remember the relevant and nonrelevant information we must digest in order to make correct driving decisions. However, if we manage the space around our vehicle and avoid the clusters, we will not be involved in a two-vehicle collision because we are not trying to occupy the space of another vehicle.

Driving with clear space around our vehicle makes sense. Why would we fight for highway position when it is far safer to be on the roadway with no one else in the immediate vicinity of our vehicle?

### Make Sure They See You

This concept of safe driving is nothing new for ABF and our drivers. We were one of the very first trucking companies to see the prevention poten-

tial of running with our headlights on 24/7. Without question, this increases our visibility.

However, there are other techniques we can use to make sure others see us, because if they see us, they are unlikely to make a mistake and involve us in an accident. One method is to sound your horn. However, we must be sure not to cause someone to panic. Making eye contact with someone leaves little doubt that they are aware. We are not talking about staring at someone, but when you are approaching an intersection, remember to keep your eyes moving. If you can see that person watching you, they are more than likely to stay put. If they are unaware of you, we can only guess what they are about to do. We all do this from time to time, even if we don't realize it.

It is especially important to avoid pedestrian accidents. How many times have we all seen children on the side of the street or road waiting to cross, and they are paying zero attention? If they don't look up and see you, a gentle tap on the horn is in order to alert them of your presence.

Remember, we are constantly alert and absorbing information as professional drivers, but unfortunately, the motoring public may not be expert drivers. As professionals, we must assist them at times to ensure they get the information they need to drive safely.

In conclusion, as a professional driver, you are and should be held to a higher standard than the average motorist. It is your responsibility to do everything possible to avoid an accident. If that means giving up the right-of-way, yielding to others, or anticipating other motorists' mistakes, then you, as a professional driver, must be willing to make the right decisions and drive defensively.

#### Safety Precautions For Driving "Combination Trailers":

The basic safe driving practices for straight trucks and tractor/semi-trailers are fully applicable to the driving of combination trailer vehicles. You must remember the following:

- Be mindful of the greater overall length of "doubles/triples" equipment and make necessary allowances. This is particularly important when passing slower traffic and when crossing intersections or railroad crossings. From a dead stop, it may take you several seconds to safely get the entire vehicle across the intersection or railroad crossing. You must remember you are approximately 70 feet long with doubles and approximately 105 feet long with triples.
- Remember that a doubles combination has three points of articulation and triples have five:

- Doubles and triples – at the tractor fifth wheel.
  - Doubles and triples – at the pintle hook and eye of the converter gear.
  - Doubles and triples – at the fifth wheel and kingpin of the rear trailer.
  - Triples – at the pintle hook and eye of the second converter gear.
  - Triples – at the fifth wheel and kingpin of the third trailer.
- Backing of combination trailers must be avoided. Actually, don't even think about it. While making stops at restaurants, rest areas, customer facilities, etc., you must make every effort to position your vehicle where you cannot be boxed in and prohibited from pulling forward.
  - Extreme smoothness is necessary in steering under all conditions while driving combination trailer vehicles. Any jerking or whipping of the steering wheel when rounding a curve or changing lanes is greatly magnified at the second or third trailer. Oversteering may cause the trailers to whip dangerously and could, in fact, result in a rollover.
  - When you approach a curve, slow down in advance and pull through the curve. Try to avoid excessive braking in a curve, as it could cause the rear trailer(s) to become unstable.
  - Avoid excessive speed while turning at all times. Excessive speed while entering/exiting a highway, turning at intersections, etc., could result in a rollover accident.
  - The heaviest trailer(s) should be hooked in a sequence, beginning with the heaviest trailer in the lead position.

Note: Unless certified by the Safety & Security Department, you cannot pull Longer Combination Vehicles (Triples).

## Section 18

### ALTERNATE WORK PROGRAM

ABF has developed the Alternate Work Program (AWP) in an effort to provide jobs for our valuable employees while they are recovering from an on-the-job injury. In the past several years, there have been major changes in medical philosophy and practice regarding physical activity in the healing process. We realize that, at times, rest and inactivity are recommended; however, after that initial rest, it is work and physical or mental activity that promotes healing. Inactivity can actually slow down the healing and recovery process.

The ABF Alternative Work Program (AWP) is a cooperative effort between the Safety and Security Department, Risk Management, Industrial Relations, and Branch Manager or his/her designee (program manager) at the participating terminals.

It is critical to the success of the program that employees have an understanding of the workers' compensation process, as well as the AWP. Each state's workers' compensation works a little differently, so it can be complicated and confusing for the employee. The more the employee understands about the process, the better it will be for all parties involved. The old "school of thought" was the less information the worker had about the process, the less likely he/she was to abuse it, and the company would benefit from the decreased cost. Past experience has proven otherwise. The employee becomes distrustful, confused, and angry.

Employees have to make many choices during the workers' compensation process. An employee could choose to stay home, obtain counsel and be obstructive, or they could choose to obtain a light-duty release and be cooperative. Employees generally make decisions based on an understanding of the situation and their options. An informed employee will allow that employee to make good decisions. These decisions can either save the company money or cost the company money. Understanding the total amount of benefits an employee can receive on workers' compensation versus return to work will present the employee with a clear choice which favors work over receiving benefits.

#### Retention of Valuable ABF Employees

ABF views our employees as one of the company's most valuable assets. ABF strives to provide a safe working environment for our employees; however, we still see injuries occur. These injuries can be very detrimental to our employees for numerous reasons:

- Decrease in earnings and future potential earnings.
- Potential for permanent impairment.
- Isolation from friends and co-workers.



## Win-Win Solution

### Employee:

- Opportunity to earn additional wages.
- Social interaction with fellow employees.
- Remain active and productive.
- Gain an appreciation for other employees' job.
- Increased insight into the terminal operations.

### ABF:

- Maintains a valuable and knowledgeable employee.
- Decreases the need to hire and train replacement employees.
- Controls workers' compensation costs.
- Decreases recovery period.
- Provides a smooth transition from disability to return to work.

## CUSTOMER SERVICE

ABF has a long history of hiring on the best and brightest individuals, which, in no small part, has contributed to our success while many other trucking companies have gone out of business. ABF drivers go above and beyond when providing customer service and customer satisfaction.

### Why are ABF city drivers designated as drivers/salesmen?

- They are responsible for more than just picking up and delivering freight.
- They have sales opportunities with every customer.
- They are an ambassador for ABF.
- ABF drivers/salesmen are Professionals!

### The customer sees you as ABF.

### Your appearance does matter to the customer.

The way you act influences the customer's opinion of ABF, such as:

- The words you use.
- The way you handle their freight.
- The way you carry yourself.

The way you drive affects how our customers view ABF. You must

- Obey all driving regulations.
- Drive courteously.

ABF drivers/salesmen make their deliveries in a professional manner by:

- Delivering the freight to the proper consignee.
- Arriving on time for delivery appointments.
- Making sure the freight is presentable at the time of delivery.
- Keeping the trailer looking clean and organized.
- Complying with all customer requirements.
  - Presenting identification when required.
  - Observing all customer safety guidelines.
- Obtaining the customer signature on the delivery receipt.

ABF drivers/salesmen start the shipping process in an accurate and effective manner by:

- Setting the tone for the shipment by arriving on time for pickups.
- Making sure that they receive an accurate bill of lading from the customer.
  - Does the description on the bill of lading match what is being shipped?
  - Does the piece count match the number of pieces received?

- Are both the shipper and consignee addresses shown?
- Carefully handling the customer's freight.
- Making sure that the freight is loaded onto the trailer securely and safely.
  - Ensuring that the shipment is properly braced.
  - Using dunnage when needed.
  - Being in compliance with all hazardous materials regulations.

#### How can ABF drivers/salesmen help ABF be more successful?

##### By Reducing ABF Claim Costs

- At the time of delivery
  - Recouping and repackaging any damages before presenting the shipment to the consignee.
  - Contacting the terminal to inform them of the OS&D problem.
  - Getting the customer to accept the freight.
  - Making sure that the appropriate OS&D notations are shown on the delivery receipt.
- At the time of pickup
  - Making sure that the shipment is properly packaged.
  - Checking to see that the shipment is complete.
  - Contacting the terminal if there is any doubt about whether we would want to accept the shipment or not.
  - Using proper OS&D notations on the bill of lading.

##### By Preventing Conflict From Occurring

- Follow through on what you promise the customer.
- Treat the customer in a courteous manner.
- Always say "Please" and "Thank You."
- Address the customer with respect.
- Let the customer know that we appreciate them.

##### Watch what you say

- Avoid giving orders
  - Avoid saying "You'll have to..." or "You've got to..."
  - Try saying, "Will you please..." or "Let me see how I can help you."
- Avoid saying "We can't do that."
  - We may not be able to do some things, but we always want to appear eager to help.
  - Offer alternatives when available.

- Try saying, “If you can, we can...”, or “One option for you...”
- Don’t question the honesty or integrity of the customer.
  - Avoid projecting an “us versus them” attitude.
  - Treat customers with respect and dignity.
- Avoid arguing with the customer
  - If you argue with the customer, you always lose, even if you win the argument.
  - “The only way to get the best of an argument is to avoid it.” Dale Carnegie
  - Never say, “It’s not my job.”
- Take responsibility and let them know what you can do.
- If you are unable to help them, put them in contact with someone that can help them.

### Calming Down Angry Customers

How can we calm down angry customers so that we can solve their problems?

- Keep your cool.
  - Returning the anger only causes the conflict to escalate.
  - Remember, you can control what you say and do.
- Listen without interrupting.
  - Let the customer vent.
  - Nothing will have any effect until they are through venting.
- Let the customer know that you want to help.
- Be sympathetic.
  - Let the customer know that you understand the problem, and why they feel the way they do.
- Apologize if necessary.
- Call the customer by name.
- Find or offer solutions.
- Notify your supervisor of the situation.

### Generating Sales Opportunities for ABF

- Pay attention to what is going on with your customers.
  - Do they appear busier than normal?
  - What are the workers saying?
  - What other carriers is this customer using?
  - What freight is being given to other carriers?
- Find out if the customer is having problems with other carriers.
  - Are they missing pickups?
  - Is their freight being damaged?

- Are they happy with their other carriers?
- Ask your customers if there is anything that ABF can do to better serve their needs.
  - Are there any special services that they need?
  - Are they familiar with our expedited services?
  - Are they having any problems with ABF?
- Ask the customer if they have any other shipments for us today.

### Creating Loyal Customers. What is a loyal customer?

An emotional bond is characterized by:

- Confidence
  - Keeps their promises, do what they say.
- Integrity or trust
  - The carrier treats them fairly.
- Pride with relationship
  - Proud to have them as their carrier.
- Passion of the provider
  - View the carrier as irreplaceable.

Why is it important to create loyal customers?

- Spend more with you.
- Less likely to price shop.
- Means repeat, long-term business.
- Provide the best kind of advertising available: word of mouth.
- Stick with you through difficult times.
- Tell you what they like and dislike.

What characteristics must we have to create loyal customers?

- Positive Outlook
  - How do we develop and maintain a positive outlook?
    - Realize that only you have control over your outlook.
    - Avoid telling yourself negative things.
    - Look at problems as opportunities.
    - Live in the present and let go of things that don't matter.
    - Recognize the importance of what you do.
    - Enjoy what you are doing.
- Professionalism
- Caring
- Knowledgeable
- Courteous
- Consistent

- Sense of Urgency
- Respectful

Although the main customer contact is normally the ABF driver/salesman, ABF road drivers also play a vital role in customer satisfaction. You are driving a rolling billboard down the streets and highways and every day you are noticed by a customer or potential customer.

Without question, the way you drive has a significant impact on customer perception:

- Are you being safe?
- Are you being courteous?
- Are you running with your headlights on?
- Are you avoiding weaving in and out of traffic unnecessarily?
- Are you maintaining a safe following distance and not tailgating?

In very simple terms, ARE YOU DRIVING LIKE A PROFESSIONAL?

“The conduct and appearance of ABF drivers/salesmen likely influence our customers' perception of ABF more than any other single group of employees.”

**INDUSTRIAL  
RELATIONS**

In view of the fact that drivers and dock workers at ABF are members of the International Brotherhood of Teamsters, the Industrial Relations Department plays a major role in dealing with local unions as company representatives. Of course, the guidelines for the management-union relationship are set forth in various collective bargaining agreements (contracts).

Consequently, the Industrial Relations Department is charged with the administration of company policy to the extent that it is affected by various labor agreements. Further, the matter of applying contractual terms to ABF's operation is guided by this department. This particularly includes dispatch procedures, seniority applications, and operational changes.

The Industrial Relations function also involves dealing with an employee's problems when they cannot be resolved at the terminal level. Although efforts are made by the Industrial Relations Department to resolve such problems at this point, they may result in formal grievances. When this occurs, it is a responsibility of the department to represent the company before various grievance committees throughout the system.

The Industrial Relations Department is not only involved in resolving pay disputes as they pertain to contractual provisions, but it also aids the Payroll Department in establishing pay procedures and policies. This function specifically includes such matters as the determination of proper pay mileages, establishment of vacation pay procedures, and disposition of certain miscellaneous pay items called for in the labor agreements.

The apparent multiplicity of roles played by the Industrial Relations Department is the result of the advisory nature of the department, particularly in connection with the broad scope of matters covered by labor agreements. Therefore, this department is available to assist in matters relating to ABF employees to the end that the best possible employee-employer relationship will prevail in order to attain the company's overall objectives.

## Section 21

### OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION (OSHA)

The declared Congressional purpose and policy of the OSHA Act is: “To assure as far as possible every working man and woman in the nation safe and healthful working conditions and to preserve our human resources.” Without hesitation, ABF believes in and promotes a safe working environment for all employees.

#### OSHA Coverage

- OSHA covers every employer who has employees engaged in business effecting commerce. On the other hand, OSHA is prohibited from enforcing rules and regulations where another Federal Agency has statutory authority for employee safety. An example: the Department of Transportation has the authority for highway safety and commercial vehicles, which means that OSHA cannot develop or enforce safety rules applicable to the driving of a commercial motor vehicle or to vehicle components.

#### Enforcement

- The United States Department of Labor inspectors, as well as Occupational Safety & Health inspectors, from the states may enter a workplace without notice at any reasonable time and inspect any building or dock and they have the authority to conduct limited employee interviews.
- The OSHA Act permits the employer and/or an authorized representative to accompany the inspector during his/her inspection.
- If you are interviewed by an OSHA inspector, you should cooperate fully and answer his/her questions politely and truthfully.

#### Citations

- If a citation is issued, it must describe the specific nature of a violation.
- OSHA must notify the employer by certified mail of the citation and any proposed penalty.
- The employer has 15 working days (some states 20 days) to notify OSHA if they wish to contest the citation because the employer may believe that a violation of applicable rules has not occurred.
- If an employer fails to contest the citation within the time limits, the citation will become a final order.

ABF has and will continue to work closely with the Occupational Safety & Health Administration to ensure a safe work environment for all employees.



STATE AND  
NATIONAL  
TRUCK DRIVING  
CHAMPIONSHIPS

ABF encourages our professional drivers to compete in the State and National Truck Driving Championships. Doing so helps prove what we already know—that ABF drivers are the best in the industry.

Participation in the State and National Truck Driving Championships is a very positive experience. You not only gain valuable information about the industry, you can gauge your knowledge and skills against other drivers. Plus, it's great fun!

Sign up and compete in your State Truck Driving Championship!

To Be Eligible, You Must:

- Be employed as a professional driver for 11 of the last 12 months.
- Have driven accident-free for the previous 12 months.
- Have a CDL with proper endorsements for the division in which you plan to compete, i.e., tanker endorsement for tanker division or doubles/triples endorsement for the twins division.

Competing will improve your driver's knowledge of the industry, as well as your driving skills

The following is a summary of the Truck Driving Championships.

Are you good enough to win the state competition in your respective division? You may be, but here's some good advice. The winners for each division usually prepare themselves well in advance of the actual competition.

Remember: Everyone competing is a professional driver. So, in order to get ahead of the competition, you must be properly prepared. The folks that usually win are those that have taken the time to study for the written test, develop interpersonal skills to assist them in the personal interview, and practice a systematic routine for the vehicle inspection. They have also practiced numerous hours of safe driving and maneuvering a commercial vehicle. ABF provides materials and assistance to help you prepare.

The competition is broken down into basically four segments, which include the following:

- Written Examination
- Personal Interview (Some states do not conduct a personal interview, but there will be an interview at the Nationals.)
- Pre-Trip
- Skills Or Driving Test

Below is the scoring breakdown for most of the competitions (this may vary from state to state):

Written Test	80 Points
Personal Interview	60 Points (This varies from state to state, and the National event may be changed to 20 points.)
Pre-Trip Inspection	60 Points (This may vary from state to state, and the National event may be changed to 100 points.)
Skills Test	300 Points (6 obstacles, 50 points each)
Total Points	500 Points (This may vary from state to state.)

Each segment is assigned a point value and the cumulative total of all segments determines the winner in each class of competition.

Usually the competition has eight classes, depending on the state:

- Three Axle
- Four Axle
- Five Axle
- Sleeper
- Flatbed
- Tanker
- Straight Truck
- Twins

### Why Compete?

For several reasons. First of all, it gives you the unique opportunity to measure yourself against the very best in the industry. Previous ABF competitors have told us about the self reward — the pride they have when representing ABF — but, more importantly, the pride they have in themselves and their families.

Competing will, without question, improve your knowledge of the industry, as well as your driving skills.

Some drivers have stated that “I will compete if you pay me.” Well, that is not what the truck driving championships are about. First of all, it is against the rules, and second, the championships are about professionalism, meeting your peers, seeing how you stack up against the best and improving your professional as well as your interpersonal skills.

ABF will pay your entry fee. ABF will also provide lodging if you must travel an unreasonable distance to the event, and banquet tickets for you and your spouse if the state has a banquet. If you are successful, as we are sure you will be at the state level, and win your division, ABF will send you and your spouse to the National Truck Driving Championship, which is usually held in August of each year. All expenses will be paid. Previous championships have been held in Long Beach, CA; New Orleans, LA; Minneapolis, MN; Tampa, FL; and Salt Lake City, UT, just to name a few.

Competing is hard work and will take dedication if you are to do well. On the other hand, competing can also be great fun, and a week at the Nationals is a wonderful experience, not only for you but also your spouse.

#### How Do I Sign Up To Compete?

You must complete an ATA Truck Driving Championship Entry and Release Form and return it to the Safety & Security Department. Ask your supervisor or branch manager for an Entry and Release form, which they have readily available on the Safety & Security Department Intranet site. Once the application is completed, your supervisor or manager will forward the application to the Safety & Security Department. The Safety & Security Department will process the application to ensure that you meet the rule requirements. When that is completed, the Safety & Security Department will pay your entry fee and send you a packet with study materials and possibly some other items to assist you.

Work hard, study hard, practice hard and ABF is confident that we will see you at the National Truck Driving Championship in future years.

## **EXHIBIT 7E1**



ABF Freight System, Inc.

Safety & Security Department

---

# **Pandemic Flu Education and Training Plan**

---

# Flu Terms Defined

---

- *Pandemic flu* is virulent human flu that causes a global outbreak, or pandemic, of serious illness. Because there is little natural immunity, the disease can spread easily from person to person. Currently, there is no pandemic flu.
- *Seasonal (common) flu* is a respiratory illness that can be transmitted from person to person. Most people have some immunity, and a vaccine is available.



# **Awareness of Health Symptoms of Possible Pandemic Flu**

---

The most common symptoms include the following:

- **Fever (often high)**
- **Runny or stuffy nose**
- **Sore throat**
- **Headache**
- **Muscle aches**
- **Fatigue**
- **Dry cough**

Other symptoms can include nausea, vomiting, and diarrhea, which are often more common in children than adults. Types and severity of symptoms could be different with a novel (or pandemic strain) of flu.

# **The World Health Organization (WHO) Developed an Alert System**

---

To help inform the world about the seriousness of a pandemic. The alert system has six phases, with Phase 1 having the lowest risk of human cases and Phase 6 posing the greatest risk of pandemic. The phases are described as follows:

- 1 Low risk of human cases**
- 2 Higher risk of human cases**
- 3 No or very limited human-to-human transmission**
- 4 Evidence of increased human-to-human transmission**
- 5 Evidence of significant human-to-human transmission**
- 6 Efficient and sustained human-to-human transmission**



# **The World Health Organization (WHO) Developed an Alert System**

---

(Continued)

The world is presently in Phase 3 of the Pandemic Alert. This means that there is a new influenza virus subtype causing disease in humans, but it is not yet spreading in an efficient (easily transmittable) and sustainable manner among humans.

# **Critical Infrastructure**

---

**The Department of Homeland Security (DHS) has identified the transportation sector as one of 13 critical infrastructures that are designated essential in maintaining the nation's continuity of operations in the event of a flu pandemic. Critical transportation sectors include cargo trucking, which is responsible for delivery of essential goods for business and is a key contributor to daily aspects of public health, safety and welfare, and national defense.**

# **Supply Chain and Delivery Networks**

---

For domestic U.S.-based businesses and most small businesses, the impacts from international and national restrictions may not be readily apparent. However, given the increasingly interconnected global economy, movement restrictions affecting raw materials, manufacturers, wholesalers, consolidators, and retailers will have immediate negative outcomes.



# **Supply Chain and Delivery Networks**

---

(Continued)

**Businesses increasingly rely on the just-in-time delivery of materials, goods, and services to maintain their economic livelihood. To survive economically, businesses must deliver their finished goods and services to other businesses and customers.**

# **Supply Chain and Delivery Networks**

---

(Continued)

**For essential goods and material, businesses must completely explore their supply chain relationships, beginning with their internal storage areas and tracking along the branches of their supply chain network back to the source of the materials. A key component while exploring the supply chain will be assessing the business.**

# **Supply Chain and Delivery Networks**

---

(Continued)

**In the unlikely event of a pandemic, it is likely that employee absences in all workforces will increase, in some cases by up to 40% of a workforce. Employee work absences due to illness and/or caring for sick family members or children dismissed from school could lead to dramatic disruptions in commerce.**



# **Supply Chain and Delivery Networks**

---

(Continued)

These disruptions could have a significant impact on the U.S. economy and general public welfare if deliveries of critical supplies such as food, medicines, and other essential goods and materials get interrupted, delayed, or cancelled. Because of the importance of maintaining cargo trucking operations during a flu pandemic, managers and employees working in this sector should understand the importance of:

1. planning for business continuity of operations (COOP) and
2. appropriate and recommended work practices and standard precautions to minimize the risk of employees becoming ill and spreading flu in the workplace

# **Exposure Risks for Cargo Trucking Personnel**

---

Truck drivers in the United States work long and have frequent work activities that involve face-to-face or close contact with other people. While trucking employees spend a portion of their work time driving, they also spend time working with customer employees as well as the general public.



# **Exposure Risks for Cargo Trucking Personnel**

---

(Continued)

Frequent and close contact with other people during pick-up and delivery and touching possibly contaminated items (such as pens, clipboards, handheld scanning devices, etc.) are likely to pose the greatest exposure risks to trucking employees. Close contact with a variety of people throughout the day increases the risk of encountering someone who is infected with flu and thus increases the risk of contact, aerosol, or droplet transmission of flu viruses.

# **Risk Factors**

---

**Close contact with infected persons is the greatest risk factor for trucking personnel to become infected with pandemic flu. Flu viruses are spread from person to person, primarily through large-particle respiratory droplet transmission (e.g., when an infected person coughs or sneezes on or near a susceptible person).**

# **Risk Factors**

---

(Continued)

**Contact with surfaces contaminated with respiratory droplets is another possible source of flu transmission. Localized airborne transmission may occur via droplet nuclei or particles that are small enough to be inhaled, but direct contact with infected persons and contact transmission are believed to be the more common routes of transmission.**



# **Limiting Risks**

---

**Because completely eliminating face-to-face and close contact with other persons is unlikely to be feasible, strong adherence to, and understanding of, general infection control practices will be an important risk reduction strategy.**

# Social Distancing

---

Limiting close face-to-face contacts with other people is known as *social distancing*; it is an important protective behavior to limit the risks of exposures from droplet, aerosol, or contact transmission in the event of a flu pandemic. Social distancing generally means maintaining a distance of three (3) feet or more between persons.

# **Social Distancing**

---

(Continued)

- **Limit the frequency of face-to-face contacts during pickups and deliveries.**
- **Limit casual (social) interactions that normally occur at work.**
- **Do not report to work if you are sick.**
- **Schedule staggered break times.**
- **Establish flexible work hours or an alternative delivery schedules.**
- **Use text messaging and personal mobile phones to communicate instead of face-to-face contact.**
- **Avoid conferences and group gatherings during a pandemic.**



# **Social Distancing**

---

(Continued)

**For long-haul drivers, avoiding places where other people congregate, such as truck stops, is one example of using social distancing. Another is maintaining separation (again, roughly three (3) feet when in dispatch areas, locker rooms, while refueling, during pickup and deliveries, and when working in an area where there is likely to be a group of people.**

# **Social Distancing**

---

(Continued)

**In the event of a pandemic, anticipating the need and necessary steps for social distancing will be the key to effective implementation while minimizing business disruptions.**



# Cough Etiquette

---

Cough etiquette is a behavior that can limit the transmission of droplet nuclei and aerosols when you cough or sneeze. Practice cough etiquette by always covering your mouth with a tissue or coughing or sneezing into your shirt sleeve, holding the inside your elbow to your face, to help contain and prevent flu viruses from being released into the air and contaminating other surfaces, including your hands, that other people might touch or come into contact with.



# Hand Washing

---

Hand washing is a very important practice in the event of a pandemic. Cleaning your hands many times each day is one of the best ways to protect yourself. Potentially infectious virus particles can be present on the skin but can be effectively removed by soap and water or inactivated by using waterless alcohol-based sanitizing gels (at least 60% alcohol).





# Hand Washing

---

(Continued)

**As a general rule, wash hands any time after sneezing or coughing, touching another person's hands, or touching potentially virus-contaminated surfaces (commonly touched surfaces). Avoid handshaking or other unnecessary physical contact during a pandemic.**

# **Hand Washing Using Soap and Water**

---

- Wet both hands with clean running water and apply soap. Use warm water, if possible.
- Rub your hands together, make a lather, and rub all surfaces on your hands and fingers.
- Continue lathering and rubbing your hands together for about 20 seconds. This is about the time it takes to hum the song “Happy Birthday” twice.
- Rinse hands well under running water to remove the lather.
- Dry your hands using a paper towel or an air dryer. If using a paper towel, use the paper towel to turn off the faucet and open the bathroom door. You might also use your foot to open the door if it swings outward.

# **Using an Alcohol-Based Hand Sanitizer**

---

- Apply a thumbnail sized amount of the product into the palm of one hand.
- Rub the product over all surfaces of hands and fingers until hands are dry.
- Note: When hands are visibly soiled or “dirty,” hand sanitizers may be less effective, and hand washing with soap and water is recommended.



# **When to Wash or Sanitize Your Hands**

---

- After any hand contact with surfaces that get frequently touched by other people
- After shaking hands (which is discouraged during a pandemic)
- After blowing your nose, coughing, or sneezing (but don't cough or sneeze into your hand, use your shirtsleeve or a tissue)
- Before preparing or eating food
- After going to the bathroom
- After handling an animal or animal waste
- After handling garbage
- Before and after treating a wound, cut, or abrasion

# **Risk of Infection from Handling Truck Cargo**

---

In studies, Influenza A and B viruses can persist on porous and nonporous surfaces for hours to days. If a surface is contaminated with a flu virus, crew members might become infected by touching that surface and then touching the mucous membranes of their eyes, nose, and mouth. Routine cleaning and disinfection of frequently touched hard environmental surfaces is a reasonable precaution, but the effectiveness of disinfection may vary depending on the surface, the cleaning method, and the cleaning and disinfecting agent that is used.



# **Recommended Practices for Cleaning and Disinfecting**

---

To disinfect hard surfaces (plastic and metal), clean them with soap or detergent in water to remove dirt, and use disinfectants to inactivate flu viruses. Inactivating or reducing the amount of flu viruses on a surface can reduce the chances of hand contamination, transfer of the virus, and possible infections in workers.

# **Recommended Practices for Cleaning and Disinfecting**

---

(Continued)

Flu viruses may be inactivated by chemical disinfectants such as these:

- Chlorine or sodium hypochlorite (diluted household bleach)
- Aldehydes (Formaldehyde and glutaraldehyde are effective but quite toxic!)
- Quaternary ammonium compounds (such as Lysol® spray disinfectant)
- Phenolics (pine oil products, some mouthwashes)
- Alcohols and peroxygen compounds (hydrogen peroxide)

# **Recommended Practices for Cleaning and Disinfecting**

---

(Continued)

- To clean or disinfect hard surfaces in truck cabs or truck cargo trailers, general cleaning techniques and practices can be used along with a variety of common commercial products that have a detergent to clean and a disinfectant to inactivate the flu virus.
- Follow the manufacturers' instructions for usage and amounts when using a standard household cleaner (a soap or detergent).
- Rinse with clear water.
- Use a disinfectant.



# **Recommended Practices for Cleaning and Disinfecting**

---

(Continued)

**For visibly dirty surfaces such as the insides of a cargo trailer, do the following:**

- **Clean surfaces that are touched often or are suspected to be contaminated**
- **Clean the soil away first**
- **Rinse**
- **Use a disinfectant**

# **Recommended Practices for Cleaning and Disinfecting**

---

(Continued)

If disinfectants are not available, use a diluted chlorine bleach solution. Carefully add 2 teaspoons of household bleach (5.25%–6%) into a quart (4 cups) of clear water. Wear rubber gloves and use a cloth to apply this to surfaces and let stand for 3-5 minutes before rinsing with clean water. For a larger supply of disinfectant, use  $\frac{1}{4}$  cup of bleach in a gallon (16 cups) of water.

# **Recommended Practices for Cleaning and Disinfecting**

---

(Continued)

Use a disinfecting wipe or spray to clean commonly touched items such as pens, bar-code scanning devices, steering wheels, shift knobs, door handles, etc. Always read the manufacturer's directions first when using cleaning products; pay attention to hazard warnings on the labels and instructions for proper disposal.



# **Use Common Sense to Limit the Spread of Germs**

---

- Wash hands frequently with soap and water.
- Cover your mouth and nose with a tissue when you cough or sneeze.
- Put used tissues in a waste basket.
- Cough or sneeze into your upper sleeve if you do not have a tissue.
- Clean your hands after coughing or sneezing. Use soap and water or an alcohol-based hand cleaner.
- Stay at home if you are sick.





# **Guidance for Cleaning Contaminated Truck Cabs**

These guidelines provide a basic framework of response.

**ABF Freight System, Inc.**  
**Safety & Security Department**  
**2009**

# Contamination

---

Influenza viruses can persist on nonporous surfaces for 24 hours or more, but quantities of the virus sufficient for human infection are likely to persist for shorter periods.

## **Contamination (cont.)**

---

Although the relative importance of virus transfer from inanimate objects to humans in spreading influenza is not known, hand transfer of the virus to the mucous membranes of the eyes, nose, and mouth resulting in infection is likely to occur.



# **Cleaning and Disinfecting**

---

Routine cleaning with soap or detergent and water to remove soil and organic matter, followed by the proper use of disinfectants, are the basic components of effective environmental management of influenza.

## **Cleaning and Disinfecting (cont.)**

---

Reducing the number of influenza virus particles on a surface through the following steps can reduce the chances of hand transfer of the virus.

## **Cleaning and Disinfecting (cont.)**

---

Those personnel performing the cleaning should use appropriate personal protective equipment (PPE), such as non-sterile disposable gloves that are recommended by the manufacturer of the detergent/disinfectant, when touching contaminated surfaces or handling cleaning and disinfecting solutions. Never wash or reuse the gloves. Avoid activities where infectious aerosols are generated. Eye protection, such as a face shield or goggles, may be required if splashing is expected.



# **Cleaning and Disinfecting (cont.)**

---

The following items may be obtained from the ABF Supply Department:

- Goggles and safety glasses
- Latex gloves
- Surgical masks
- Tyvek suits

The ABF Supply Department does not supply face shields but they may be purchased from a local supplier in your area.



## **Cleaning and Disinfecting (cont.)**

---

Many of the non-porous surfaces in the cab and associated compartments can be cleaned with detergent and water according to the vehicle manufacturer's recommendations. Frequently touched surfaces in the interiors of the cab and associated components should be cleaned first with detergent and water and then disinfected using an EPA-registered disinfectant in accordance with the disinfectant manufacturer's recommendations.

# **Spills of Body Fluids**

---

Immediately cover the spill with an absorbent material designed for spills of body fluids or, if this is not available, disposable paper towels/cloths. Absorbent material may be obtained at the local hardware store for the cleanup of body fluids, with the exception of blood loss. Contact the Safety & Security Department Hotline at 1-800-755-6486 should you encounter any blood residue prior to initiating cleanup procedures.

# **Spills of Body Fluids**

---

Wearing non-sterile, disposable gloves that are recommended by the manufacturer of the detergent/  
disinfectant, place residuals, agent and waste cloths in leak-proof bags, immediately seal and carefully dispose of the articles in covered containers to avoid any spread of contamination.



## **Spills of Body Fluids (cont.)**

---

Large areas of contamination (e.g., one square foot or more) should be treated with disinfectant after removal of the body fluid with absorbent material, then cleaned and given a final disinfection.

## **Spills of Body Fluids (cont.)**

---

Since disinfectants are not registered for use on porous surfaces, removable porous upholstery, rugs and carpeting that have been exposed to vomit or feces should be carefully removed and laundered in accordance with the manufacturer's instructions or disposed of as described below. Porous upholstery and carpeting that cannot be removed may be initially cleaned with water and detergent. The material should then be allowed to air dry.

# **Cleaning Agent & PPE Disposal**

---

Dispose of gloves and soiled material in a sturdy, leak-proof (e.g., plastic) bag that is tied shut and not reopened. Porous materials that will be laundered can be removed from the truck in the same manner. State and local governments should be consulted for appropriate disposal decisions. Barring specific state solid or medical waste regulations to the contrary, these wastes are considered routine solid wastes that can be sent to municipal solid waste landfills without treatment.



## **Cleaning Agent & PPE Disposal (cont.)**

---

When cleaning has been completed and gloves have been removed, immediately clean hands with soap and water. If soap and water are not readily available, use an alcohol-based hand gel and wash hands with soap and water as soon as feasible. Avoid touching the face with gloved or unwashed hands.

## **Cleaning Agent & PPE Disposal (cont.)**

---

Do not use compressed air and/or water under pressure for cleaning, or any other methods that can cause splashing or which might re-aerosolize infectious material. Vacuum cleaners should only be used after proper disinfection has taken place.

**Use the following web address to find  
a list of EPA-approved sterilizers**

---

**<http://epa.gov/oppad001/chemregindex.htm>**



# **Prevent Spread of the Flu**

---

Fleet drivers can follow standard precautions to safeguard their health, including using disposable detergent-disinfectant impregnated wipes on frequently-touched non-porous surfaces, and washing hands with soap and water or alcohol-based hand gels before eating, drinking, or smoking.

## **Prevent Spread of the Flu (cont.)**

---

When washing hands with soap and water, wet your hands with clean running water and apply soap. Use warm water, if it is available. Rub hands together to make a lather and scrub all surfaces. Continue rubbing hands for 20 seconds. Rinse hands well under running water.

## **Prevent Spread of the Flu (cont.)**

---

Dry your hands using a paper towel or air dryer. If possible, use your paper towel to turn off the faucet.

**Remember:** If soap and water are not available, use alcohol-based gel to clean hands. When using an alcohol-based hand gel:

- (1) Apply product to the palm of one hand.
- (2) Rub hands together.
- (3) Rub the product over all surfaces of hands and fingers until hands are dry.



## **Prevent Spread of the Flu (cont.)**

---

Cover the nose/mouth when coughing or sneezing. Use tissues to contain respiratory secretions and dispose of them in the nearest waste receptacle after use. If you do not have a tissue, cough or sneeze into your upper sleeve, not your hands, and perform hand hygiene.

# **Areas that Frequently Get Touched and May Need Cleaning Inside a Truck Cab**

---

- Cab door switches
- Steering wheel
- Gauges and switches on dash and in sleeper
- HVAC louvers on dash and in sleeper
- Exposed dash surfaces
- Radio controls
- Seat adjustment knobs
- CB mike and knobs
- Overhead console doors and locks

## **Areas that Frequently Get Touched and May Need Cleaning Inside a Truck Cab**

**(cont.)**

- Cup holders
- Steering column-mounted stalk controls (turn signals, cruise controls, windshield wiper)
- Manual/automatic transmission shift lever
- Seat covers (vinyl, fabric, or leather)
- Floor mats (rubber)



## **Areas that Frequently Get Touched and May Need Cleaning Inside a Truck Cab**

**(cont.)**

- Fire extinguishers
- Reflector kits
- First aid kits
- Air horn cable
- Seat belt buckles

## **Other Areas that Frequently Get Touched and May Need Cleaning**

---

- Grab handles for entry and exit into the vehicle
- Fifth-wheel release lever
- Air lines
- Electrical cable
- Landing gear handle
- Trailer door opening/closing handles

# **Safe Removal of Contaminated Gloves**

---

1. Pull one glove near your wrist toward your finger tips until the glove folds over.





## **Safe Removal of Contaminated Gloves**

- (cont.)**
2. Carefully grab the fold and pull toward your finger tips. As you pull, you are turning the inside of the glove outward.



## **Safe Removal of Contaminated Gloves**

- (cont.)**
3. Pull the fold until the glove is almost off.



## **Safe Removal of Contaminated Gloves**

- (cont.)**
4. To avoid contamination of your environment, continue to hold the removed glove. Completely remove your hand from the glove.





## **Safe Removal of Contaminated Gloves**

- (cont.)**
5. Slide your finger from your glove-free hand under the remaining glove. Continue to slide your finger toward your finger tips until almost half of your finger is under the glove.



## **Safe Removal of Contaminated Gloves**

**(cont.)**

6. Turn your finger 180 degrees and pull the glove outward and toward your finger tips. As you do this, the first glove will be encased in the second glove. The inside of the second glove will also be turned outward.



## **Safe Removal of Contaminated Gloves**

**(cont.)**

7. Grab the gloves firmly by the uncontaminated surface (the side that was originally touching your hand). Release your grasp of the first glove you removed. Pull your second hand free from its glove. Dispose of the gloves properly.





# Latex Gloves

---

Although rare, some individuals have an allergic reaction to latex. Notify your supervisor immediately if you are allergic to latex.

# Surgical Mask

---

A mask that provides protection against pathogens carried by large respiratory droplets that can contaminate the mucous membranes is commonly known as a *surgical mask*.



## **Surgical Mask** (cont.)

---

Surgical masks are:

- Designed to cover the mouth and nose loosely.
- Usually strapped behind the head.
- Made of soft materials and are comfortable to wear.





## **Surgical Mask (cont.)**

---

An important thing to remember is that a surgical mask is not a respirator and will not protect you in a hazardous environment such as a chemical spill.

## **Surgical Mask (cont.)**

---

A surgical mask may be used to protect the respiratory tract from viruses, bacteria, and fungi transmitted through direct contamination of the mucous membranes of the nose and mouth (and sometimes the eyes) or through inhalation of organisms in the air.

## **Surgical Mask (cont.)**

---

Surgical masks also provide protection against body fluid splashes to the nose and mouth. Since surgical masks do not have a sealing surface and only fit loosely, they provide only minimal protection from respirable particles.



# Face Shield Splash Protection

---

Under extreme circumstances, a full face shield may be appropriate for cleaning. ABF will provide the appropriate shield should the need arise.



# Tyvek Suit

---

In extreme cases, a Tyvek Suit may be appropriate protection against contamination. ABF will provide instructions for wearing and disposal should use of this suit become necessary.



# **Personal Protective Equipment (PPE)**

---

Prior to wearing any Personal Protective Equipment (PPE), ABF will provide you with additional instructions from the suppliers of the equipment and a certification statement that you have been trained and understand how to properly use the equipment. Contact your supervisor for supplier instructions regarding the PPE that you may be assigned to use.



# Universal Precautions

---

These precautions simply mean that in the unlikely event of a pandemic, you should consider that everything you touch may be contaminated and you should protect yourself.

# **Southern Border Violence Security Awareness**

**ABF Freight System, Inc.**





## *Violence Security Awareness*



Recently there have been multiple articles focusing on the violence spillover from Mexico to the United States southern border and efforts to combat the causes. The articles mention that most of the violence is drug related, where cartels fight against each other and law enforcement to protect and maintain their illegal drug distribution networks in Mexico and the United States. Not only is the smuggling of illegal drugs to the U.S. occurring, there have also been incidents of gun smuggling to Mexico. Various U.S. law enforcement agencies have formed a partnership with the Mexican government to address and combat violence and the smuggling of illegal drugs, humans, bulk cash, and firearms.



The trucking industry is very much affected since trucks are a common means to transport illegal contraband throughout Mexico and the United States. ABF has developed security awareness procedures to respond to the associated threats and vulnerabilities of our company assets, employees, and customers' freight.

While the United States is only seeing a limited increase of drug-related violence, ABF is cognizant that smugglers can use our services to transport their contraband to and from the southern border. ABF also realizes that our tractors and trailers could be prone to high jacking and theft due to unrest between the smuggling rings and the security-sensitive freight that we transport.

Following are security awareness procedures that need to be followed to protect you and ABF.



## Drivers/Dock Workers:

---

- You should always be aware of your surroundings. If someone or something is suspicious, contact your supervisor.
- If you feel that the freight you are handling is suspicious in nature, labeled or described erroneously, or has the multiple indicators outlined in the suspicious/illegal contraband training, contact your supervisor immediately.
- Make sure that our customers' freight and company property and equipment is properly secured.
- Make sure that your trailer or cargo box is properly secured with a padlock at all times prior to and after pick ups and deliveries are made.
- Be sure to check the padlock on the trailer or cargo box after breaks or lunch to ensure it has not been tampered with.





## Drivers/Dock Workers:

- Make sure that your personal effects are properly secured.
- Never discuss the nature of your cargo in truck stops, coffee shops, over the CB radio, or through other means with anyone not authorized access to such information.
- Stay on schedule and on the proper route. Have an emergency phone number in case of trouble.
- When you leave your truck unattended while on break or at mealtime, the truck should be parked in an area that is easily observed with adequate lighting. The engine must be turned off, the ignition key removed, windows closed and doors locked. Be sure to check the trailer seal on the trailer when returning to the truck to ensure that it has not been tampered with.
- While driving, keep doors locked and windows rolled up as far as possible.



# Office/Sales

1. You should always be aware of your surroundings. If someone or something is suspicious, contact your supervisor.
2. While driving, keep doors locked and windows rolled up as far as possible.
3. Do not disclose confidential information to a stranger.
4. Have a list of emergency phone numbers in case of trouble.
5. Do not just accept that a stranger is authorized to be in the building just because he says so. Check with someone in authority.
6. You should leave a copy of your daily sales itinerary with management or make a habit of checking in with the office at scheduled times.
7. Keep your valuables, along with company issued equipment, properly secured.





# Security While Traveling

---

As a reminder, if you are traveling to Mexico for business or leisure, you should review and incorporate some of the following security recommendations in your travel plans:

1. Never take chances that put you at risk. If you feel uncomfortable, attempt to return to the United States.
2. You should always be aware of your surroundings. If someone or something is suspicious, contact your supervisor or police.
3. You should leave an itinerary with a friend, family member or supervisor.



4. Check with your cell phone provider to make sure you have service in the area you will be traveling.
5. Avoid driving on certain roads and try to stay on the toll roads or major thoroughfares as a general rule.
6. Do not display expensive looking jewelry, large amounts of cash or other valuables.
7. You may want to establish time periods to check in with friends, family, or supervisor.

# Reporting Procedures

---

If you are a witness, involved in an incident, or feel that something or someone is suspicious, you must contact your supervisor immediately. Management will contact the Safety and Security Department immediately thereafter by calling the 24/7 emergency hotline number at 1-800-755-6486. If you feel that you are in imminent danger, call 911 immediately.

## Conclusion

Knowing the background of southern border violence issues and being within the geographical proximity could potentially carry an increased risk of being involved in an incident. Implementing and periodically reviewing the previously mentioned security awareness procedures while at work or away will significantly reduce and/or deter the threat of being involved. ABF's continued liaison with local, state, and federal law enforcement agencies has proved to be beneficial in providing alerts, awareness training and responsiveness that allows ABF to inform and protect our employees, customers' freight, and company assets.

If you have any questions concerning this topic, please contact your  
Regional Manager of Safety and Security.



## **EXHIBIT 7E**

# **Guidance for Cleaning Contaminated Truck Cabs**

ABF Freight System, Inc.  
Safety & Security Department  
2009

These guidelines provide a basic framework of response.

## **Contamination**

Influenza viruses can persist on nonporous surfaces for 24 hours or more, but quantities of the virus sufficient for human infection are likely to persist for shorter periods.

Although the relative importance of virus transfer from inanimate objects to humans in spreading influenza is not known, hand transfer of the virus to the mucous membranes of the eyes, nose, and mouth resulting in infection is likely to occur.

## **Cleaning and Disinfecting**

Routine cleaning with soap or detergent and water to remove soil and organic matter, followed by the proper use of disinfectants, are the basic components of effective environmental management of influenza.

Reducing the number of influenza virus particles on a surface through the following steps can reduce the chances of hand transfer of the virus.

Those personnel performing the cleaning should use appropriate personal protective equipment (PPE), such as non-sterile disposable gloves that are recommended by the manufacturer of the detergent/disinfectant, when touching contaminated surfaces or handling cleaning and disinfecting solutions. Never wash or reuse the gloves. Avoid activities where infectious aerosols are generated. Eye protection, such as a face shield or goggles, may be required if splashing is expected. The following items may be obtained from the ABF Supply Department:

- Goggles and safety glasses
- Latex gloves
- Surgical masks
- Tyvek suits

The ABF Supply Department does not supply face shields but they may be purchased from a local supplier in your area.

Many of the non-porous surfaces in the cab and associated compartments can be cleaned with detergent and water according to the vehicle manufacturer's recommendations. Frequently

touched surfaces in the interiors of the cab and associated components should be cleaned first with detergent and water and then disinfected using an EPA-registered disinfectant in accordance with the disinfectant manufacturer's recommendations.

### **Spills of Body Fluids**

Immediately cover the spill with an absorbent material designed for spills of body fluids or, if this is not available, disposable paper towels/cloths. Absorbent material may be obtained at the local hardware store for the cleanup of body fluids, with the exception of blood loss. Contact the Safety & Security Department Hotline at 1-800-755-6486 should you encounter any blood residue prior to initiating cleanup procedures.

Wearing non-sterile, disposable gloves that are recommended by the manufacturer of the detergent/disinfectant, place residuals, agent and waste cloths in leak-proof bags, immediately seal and carefully dispose of the articles in covered containers to avoid any spread of contamination.

Large areas of contamination (e.g., one square foot or more) should be treated with disinfectant after removal of the body fluid with absorbent material, then cleaned and given a final disinfection.

Since disinfectants are not registered for use on porous surfaces, removable porous upholstery, rugs and carpeting that have been exposed to vomit or feces should be carefully removed and laundered in accordance with the manufacturer's instructions or disposed of as described below. Porous upholstery and carpeting that cannot be removed may be initially cleaned with water and detergent. The material should then be allowed to air dry.

### **Cleaning Agent & PPE Disposal**

Dispose of gloves and soiled material in a sturdy, leak-proof (e.g., plastic) bag that is tied shut and not reopened. Porous materials that will be laundered can be removed from the truck in the same manner. State and local governments should be consulted for appropriate disposal decisions. Barring specific state solid or medical waste regulations to the contrary, these wastes are considered routine solid wastes that can be sent to municipal solid waste landfills without treatment.

When cleaning has been completed and gloves have been removed, immediately clean hands with soap and water. If soap and water are not readily available, use an alcohol-based hand gel and wash hands with soap and water as soon as feasible. Avoid touching the face with gloved or unwashed hands.

Do not use compressed air and/or water under pressure for cleaning, or any other methods that can cause splashing or which might re-aerosolize infectious material. Vacuum cleaners should only be used after proper disinfection has taken place.

**Use the following web address to find a list of EPA-approved sterilizers:**

<http://epa.gov/oppad001/chemregindex.htm>

### **Prevent Spread of the Flu**

Fleet drivers should follow standard precautions to safeguard their health, including using disposable detergent-disinfectant impregnated wipes on frequently-touched non-porous surfaces, and washing hands with soap and water or alcohol-based hand gels before eating, drinking, or smoking.

When washing hands with soap and water, wet your hands with clean running water and apply soap. Use warm water, if it is available. Rub hands together to make a lather and scrub all surfaces. Continue rubbing hands for 20 seconds. Rinse hands well under running water.

Dry your hands using a paper towel or air dryer. If possible, use your paper towel to turn off the faucet.

**Remember:** If soap and water are not available, use alcohol-based gel to clean hands. When using an alcohol-based hand gel:

- (1) Apply product to the palm of one hand.
- (2) Rub hands together.
- (3) Rub the product over all surfaces of hands and fingers until hands are dry.

Cover the nose/mouth when coughing or sneezing. Use tissues to contain respiratory secretions and dispose of them in the nearest waste receptacle after use. If you do not have a tissue, cough or sneeze into your upper sleeve, not your hands, and perform hand hygiene.

### **Areas that Frequently Get Touched and May Need Cleaning Inside a Truck Cab**

- Cab door switches
- Steering wheel
- Gauges and switches on dash and in sleeper
- HVAC louvers on dash and in sleeper
- Exposed dash surfaces
- Radio controls
- Seat adjustment knobs
- CB mike and knobs
- Overhead console doors and locks
- Cup holders
- Steering column-mounted stalk controls (turn signals, cruise controls, windshield wiper)
- Manual/automatic transmission shift lever
- Seat covers (vinyl, fabric, or leather)
- Floor mats (rubber)
- Fire extinguishers

- Reflector kits
- First aid kits
- Air horn cable
- Seat belt buckles

#### **Other Areas that Frequently Get Touched and May Need Cleaning**

- Grab handles for entry and exit into the vehicle
- Fifth-wheel release lever
- Air lines
- Electrical cable
- Landing gear handle
- Trailer door opening/closing handles

#### **Safe Removal of Contaminated Gloves**

1. Pull one glove near your wrist toward your finger tips until the glove folds over.



2. Carefully grab the fold and pull toward your finger tips. As you pull, you are turning the inside of the glove outward.





3. Pull the fold until the glove is almost off.



4. To avoid contamination of your environment, continue to hold the removed glove. Completely remove your hand from the glove.



5. Slide your finger from your glove-free hand under the remaining glove. Continue to slide your finger toward your finger tips until almost half of your finger is under the glove.



6. Turn your finger 180 degrees and pull the glove outward and toward your finger tips. As you do this, the first glove will be encased in the second glove. The inside of the second glove will also be turned outward.



7. Grab the gloves firmly by the uncontaminated surface (the side that was originally touching your hand). Release your grasp of the first glove you removed. Pull your second hand free from its glove. Dispose of the gloves properly.



### **Latex Gloves**

Although rare, some individuals have an allergic reaction to latex. Notify your supervisor immediately if you are allergic to latex.

### **Surgical Mask**

A mask that provides protection against pathogens carried by large respiratory droplets that can contaminate the mucous membranes is commonly known as a *surgical mask*.



Surgical masks are:

- Designed to cover the mouth and nose loosely.
- Usually strapped behind the head.
- Made of soft materials and are comfortable to wear.



An important thing to remember is that a surgical mask is not a respirator and will not protect you in a hazardous environment such as a chemical spill.

A surgical mask may be used to protect the respiratory tract from viruses, bacteria, and fungi transmitted through direct contamination of the mucous membranes of the nose and mouth (and sometimes the eyes) or through inhalation of organisms in the air.

Surgical masks also provide protection against body fluid splashes to the nose and mouth. Since surgical masks do not have a sealing surface and only fit loosely, they provide only minimal protection from respirable particles.

### **Face Shield Splash Protection**

Under extreme circumstances, a full face shield may be appropriate for cleaning. ABF will provide the appropriate shield should the need arise.



## **Tyvek Suit**

In extreme cases, a Tyvek Suit may be appropriate protection against contamination. ABF will provide instructions for wearing and disposal should use of this suit become necessary.



## **Personal Protective Equipment**

Prior to wearing any Personal Protective Equipment (PPE), ABF will provide you with additional instructions from the suppliers of the equipment and a certification statement that you have been trained and understand how to properly use the equipment. Contact your supervisor for supplier instructions regarding the PPE that you may be assigned to use.

## **Universal Precautions**

These precautions simply mean that in the unlikely event of a pandemic, you should consider that everything you touch may be contaminated and you should protect yourself.

# **Pandemic Flu Education and Training Plan**

ABF Freight System, Inc.  
Safety & Security Department  
2009

## **Flu Terms Defined**

- *Pandemic flu* is virulent human flu that causes a global outbreak, or pandemic, of serious illness. Because there is little natural immunity, the disease can spread easily from person to person. Currently, there is no pandemic flu.
- *Seasonal (common) flu* is a respiratory illness that can be transmitted from person to person. Most people have some immunity, and a vaccine is available.

## **Awareness of Health Symptoms of Possible Pandemic Flu**

The most common symptoms include the following:

- Fever (often high)
- Runny or stuffy nose
- Sore throat
- Headache
- Muscle aches
- Fatigue
- Dry cough

Other symptoms can include nausea, vomiting, and diarrhea, which are often more common in children than adults. Types and severity of symptoms could be different with a novel (or pandemic strain) of flu.

## **The World Health Organization (WHO) Developed an Alert System**

To help inform the world about the seriousness of a pandemic. The alert system has six phases, with Phase 1 having the lowest risk of human cases and Phase 6 posing the greatest risk of pandemic. The phases are described as follows:

- 1 Low risk of human cases
- 2 Higher risk of human cases
- 3 No or very limited human-to-human transmission
- 4 Evidence of increased human-to-human transmission
- 5 Evidence of significant human-to-human transmission
- 6 Efficient and sustained human-to-human transmission



The world is presently in Phase 3 of the Pandemic Alert. This means that there is a new influenza virus subtype causing disease in humans, but it is not yet spreading in an efficient (easily transmittable) and sustainable manner among humans.

### **Critical Infrastructure**

The Department of Homeland Security (DHS) has identified the transportation sector as one of 13 critical infrastructures that are designated essential in maintaining the nation's continuity of operations in the event of a flu pandemic. Critical transportation sectors include cargo trucking, which is responsible for delivery of essential goods for business and is a key contributor to daily aspects of public health, safety and welfare, and national defense.

### **Supply Chain and Delivery Networks**

For domestic U.S.-based businesses and most small businesses, the impacts from international and national restrictions may not be readily apparent. However, given the increasingly interconnected global economy, movement restrictions affecting raw materials, manufacturers, wholesalers, consolidators, and retailers will have immediate negative outcomes.

Businesses increasingly rely on the just-in-time delivery of materials, goods, and services to maintain their economic livelihood. To survive economically, businesses must deliver their finished goods and services to other businesses and customers.

For essential goods and material, businesses must completely explore their supply chain relationships, beginning with their internal storage areas and tracking along the branches of their supply chain network back to the source of the materials. A key component while exploring the supply chain will be assessing the business.

In the unlikely event of a pandemic, it is likely that employee absences in all workforces will increase, in some cases by up to 40% of a workforce. Employee work absences due to illness and/or caring for sick family members or children dismissed from school could lead to dramatic disruptions in commerce.

These disruptions could have a significant impact on the U.S. economy and general public welfare if deliveries of critical supplies such as food, medicines, and other essential goods and materials get interrupted, delayed, or cancelled. Because of the importance of maintaining cargo trucking operations during a flu pandemic, managers and employees working in this sector should understand the importance of:

1. planning for business continuity of operations (COOP) and
2. appropriate and recommended work practices and standard precautions to minimize the risk of employees becoming ill and spreading flu in the workplace

## **Exposure Risks for Cargo Trucking Personnel**

Truck drivers in the United States work long and have frequent work activities that involve face-to-face or close contact with other people. While trucking employees spend a portion of their work time driving, they also spend time working with customer employees as well as the general public.

Frequent and close contact with other people during pick-up and delivery and touching possibly contaminated items (such as pens, clipboards, handheld scanning devices, etc.) are likely to pose the greatest exposure risks to trucking employees. Close contact with a variety of people throughout the day increases the risk of encountering someone who is infected with flu and thus increases the risk of contact, aerosol, or droplet transmission of flu viruses.

### **Risk Factors**

Close contact with infected persons is the greatest risk factor for trucking personnel to become infected with pandemic flu. Flu viruses are spread from person to person, primarily through large-particle respiratory droplet transmission (e.g., when an infected person coughs or sneezes on or near a susceptible person).

Contact with surfaces contaminated with respiratory droplets is another possible source of flu transmission. Localized airborne transmission may occur via droplet nuclei or particles that are small enough to be inhaled, but direct contact with infected persons and contact transmission are believed to be the more common routes of transmission.

### **Limiting Risks**

Because completely eliminating face-to-face and close contact with other persons is unlikely to be feasible, strong adherence to, and understanding of, general infection control practices will be an important risk reduction strategy.

### **Social Distancing**

Limiting close face-to-face contacts with other people is known as *social distancing*; it is an important protective behavior to limit the risks of exposures from droplet, aerosol, or contact transmission in the event of a flu pandemic. Social distancing generally means maintaining a distance of three (3) feet or more between persons.

- Limit the frequency of face-to-face contacts during pickups and deliveries.
- Limit casual (social) interactions that normally occur at work.
- Do not report to work if you are sick.
- Schedule staggered break times.
- Establish flexible work hours or an alternative delivery schedules.
- Use text messaging and personal mobile phones to communicate instead of face-to-face contact.
- Avoid conferences and group gatherings during a pandemic.

For long-haul drivers, avoiding places where other people congregate, such as truck stops, is one example of using social distancing. Another is maintaining separation (again, roughly three (3) feet when in dispatch areas, locker rooms, while refueling, during pickup and deliveries, and when working in an area where there is likely to be a group of people.

In the event of a pandemic, anticipating the need and necessary steps for social distancing will be the key to effective implementation while minimizing business disruptions.

### **Cough Etiquette**

Cough etiquette is a behavior that can limit the transmission of droplet nuclei and aerosols when you cough or sneeze. Practice cough etiquette by always covering your mouth with a tissue or coughing or sneezing into your shirt sleeve, holding the inside your elbow to your face, to help contain and prevent flu viruses from being released into the air and contaminating other surfaces, including your hands, that other people might touch or come into contact with.



### **Hand Washing**

Hand washing is a very important practice in the event of a pandemic. Cleaning your hands many times each day is one of the best ways to protect yourself. Potentially infectious virus particles can be present on the skin but can be effectively removed by soap and water or inactivated by using waterless alcohol-based sanitizing gels (at least 60% alcohol).



As a general rule, wash hands any time after sneezing or coughing, touching another person's hands, or touching potentially virus-contaminated surfaces (commonly touched surfaces). Avoid handshaking or other unnecessary physical contact during a pandemic.

## **Hand Washing Using Soap and Water**

- Wet both hands with clean running water and apply soap. Use warm water, if possible.
- Rub your hands together, make a lather, and rub all surfaces on your hands and fingers.
- Continue lathering and rubbing your hands together for about 20 seconds. This is about the time it takes to hum the song “Happy Birthday” twice.
- Rinse hands well under running water to remove the lather.
- Dry your hands using a paper towel or an air dryer. If using a paper towel, use the paper towel to turn off the faucet and open the bathroom door. You might also use your foot to open the door if it swings outward.

## **Using an Alcohol-Based Hand Sanitizer**

- Apply a thumbnail sized amount of the product into the palm of one hand.
- Rub the product over all surfaces of hands and fingers until hands are dry.
- Note: When hands are visibly soiled or “dirty,” hand sanitizers may be less effective, and hand washing with soap and water is recommended.

## **When to Wash or Sanitize Your Hands**

- After any hand contact with surfaces that get frequently touched by other people
- After shaking hands (which is discouraged during a pandemic)
- After blowing your nose, coughing, or sneezing (but don’t cough or sneeze into your hand, use your shirtsleeve or a tissue)
- Before preparing or eating food
- After going to the bathroom
- After handling an animal or animal waste
- After handling garbage
- Before and after treating a wound, cut, or abrasion

## **Risk of Infection from Handling Truck Cargo**

In studies, Influenza A and B viruses can persist on porous and nonporous surfaces for hours to days. If a surface is contaminated with a flu virus, crew members might become infected by touching that surface and then touching the mucous membranes of their eyes, nose, and mouth. Routine cleaning and disinfection of frequently touched hard environmental surfaces is a reasonable precaution, but the effectiveness of disinfection may vary depending on the surface, the cleaning method, and the cleaning and disinfecting agent that is used.

## **Recommended Practices for Cleaning and Disinfecting**

To disinfect hard surfaces (plastic and metal), clean them with soap or detergent in water to remove dirt, and use disinfectants to inactivate flu viruses. Inactivating or reducing the amount of flu viruses on a surface can reduce the chances of hand contamination, transfer of the virus, and possible infections in workers.

Flu viruses may be inactivated by chemical disinfectants such as these:

- Chlorine or sodium hypochlorite (diluted household bleach)
- Aldehydes (Formaldehyde and glutaraldehyde are effective but quite toxic!)
- Quaternary ammonium compounds (such as Lysol® spray disinfectant)
- Phenolics (pine oil products, some mouthwashes)
- Alcohols and peroxygen compounds (hydrogen peroxide)
- To clean or disinfect hard surfaces in truck cabs or truck cargo trailers, general cleaning techniques and practices can be used along with a variety of common commercial products that have a detergent to clean and a disinfectant to inactivate the flu virus.
- Follow the manufacturers' instructions for usage and amounts when using a standard household cleaner (a soap or detergent).
- Rinse with clear water.
- Use a disinfectant.

For visibly dirty surfaces such as the insides of a cargo trailer, do the following:

- Clean surfaces that are touched often or are suspected to be contaminated
- Clean the soil away first
- Rinse
- Use a disinfectant

If disinfectants are not available, use a diluted chlorine bleach solution. Carefully add 2 teaspoons of household bleach (5.25%–6%) into a quart (4 cups) of clear water. Wear rubber gloves and use a cloth to apply this to surfaces and let stand for 3-5 minutes before rinsing with clean water. For a larger supply of disinfectant, use ¼ cup of bleach in a gallon (16 cups) of water.

Use a disinfecting wipe or spray to clean commonly touched items such as pens, bar-code scanning devices, steering wheels, shift knobs, door handles, etc. Always read the manufacturer's directions first when using cleaning products; pay attention to hazard warnings on the labels and instructions for proper disposal.

### **Use Common Sense to Limit the Spread of Germs**

- Wash hands frequently with soap and water.
- Cover your mouth and nose with a tissue when you cough or sneeze.
- Put used tissues in a waste basket.
- Cough or sneeze into your upper sleeve if you do not have a tissue.
- Clean your hands after coughing or sneezing. Use soap and water or an alcohol-based hand cleaner.
- Stay at home if you are sick.



## **EXHIBIT 7F**

# SAFETY PERFORMANCE STATISTICS 1987-2007

## VEHICULAR ACCIDENTS

### OVER-THE-ROAD

Year	Total Miles	No. of Accidents	Miles Per Accident
2007	291,688,696	403	723,793
2006	307,511,470	396	776,544
2005	299,320,399	422	709,290
2004	291,547,831	414	704,222
2003	277,983,204	373	745,263
2002	275,679,067	421	654,820
2001	282,633,411	414	682,689
2000	293,731,659	441	666,058
1999	279,187,541	453	616,308
1998	267,673,793	353	758,283
1997	272,661,186	440	619,685
1996	284,738,105	436	653,069
1995	296,621,727	485	611,591
1994	257,463,659	362	711,226
1993	256,778,585	402	638,753
1992	250,419,142	349	717,533
1991	235,715,304	385	612,248
1990	224,592,219	366	613,640
1989	201,609,531	334	603,621
1988	209,500,519	354	591,004
1987	188,087,219	314	599,004

### PICK UP AND DELIVERY

Year	Total City Hours	No. of Accidents	City Hours Per Accident
2007	6,772,105	1,267	5,34
2006	7,257,721	1,276	5,68
2005	7,063,256	1,178	5,99
2004	6,943,693	1,186	5,85
2003	6,605,901	1,089	6,06
2002	6,404,669	1,046	6,12
2001	6,617,350	971	6,81
2000	7,058,980	1,145	6,16
1999	6,900,202	1,122	6,15
1998	6,612,783	985	6,71
1997	6,439,818	1,064	6,04
1996	6,806,507	1,110	6,13
1995	6,546,152	1073	6,10
1994	5,749,523	863	6,66
1993	5,595,221	836	6,69
1992	5,343,231	843	6,33
1991	5,232,690	906	5,77
1990	5,220,921	994	5,25
1989	4,526,565	886	5,10
1988	4,630,698	925	5,00
1987	4,039,899	885	4,56

## PERSONAL INJURIES

### ROAD AND CITY EMPLOYEES

Year	Total Hours Worked	No. of Injuries	Hours Per Injury
2007	26,688,505	929	28,728
2006	27,737,844	911	30,448
2005	26,814,527	846	31,696
2004	26,444,713	942	28,073
2003	25,716,330	802	32,065
2002	24,999,093	1,046	23,900
2001	25,957,698	1,183	21,942
2000	27,252,524	1,277	21,341
1999	26,559,146	1,231	21,575
1998	25,748,742	1,277	20,163
1997	25,750,125	1,413	18,224
1996	27,613,048	1,603	17,226
1995	26,643,007	1,481	17,990
1994	23,726,310	1,068	22,216
1993	23,136,792	1,083	21,364
1992	22,231,426	1,076	20,661
1991	21,730,373	1,062	20,462
1990	21,148,621	1,003	21,085
1989	19,019,051	831	22,887
1988	19,467,905	996	19,546
1987	17,518,022	892	19,639

## **EXHIBIT 7G**

## **TERMINAL INSPECTION, REFERENCE GUIDE**

### **Dock Area**

#### **1. Housekeeping: 1910.141—1910.22—1910.120---1910.37**

**Working surface free from trash and debris, sufficient number of trash container, emptied regularly, all liquid spills promptly cleaned, slip, trip or fall hazards.**

#### **2. Restrooms: 1910.141**

**General condition of the facility for cleanliness, insure that the necessary sanitary supplies are provided.**

#### **3. Storerooms: 1910.141---1910.22**

**Orderly condition, trash and debris, slip, trip or fall hazards. If the storeroom contains flammable or combustibles see (29 Cfr 1910.106)**

#### **4. Aisles and Passageways: 1910.141---1910.178---1910.37**

**Free of trash and debris, sufficient safe clearance, isles must be marked. (note: do not confuse this requirement, docks do not have to have the aisles marked, because the aisles may change according to the way freight is stacked)**

#### **5. OSHA Posters:**

**The job Safety and Health Poster must be posted.**

#### **6. First Aid Kit: 1910.151**

**Insure that each facility has a first aid kit, adequately supplied.**

#### **7. Forklifts: 1910.178**

**General condition, Fire Extinguisher mounted on lift, Maintenance records, Lights operational if equipped, Tires, Fork locking Pins, Overhead guard.**



**8. Fire Extinguishers: 1910.157**

**Properly mounted, correctly located, inspected as required (annually and monthly), and properly identified with a fire extinguisher sign.**

**9. Exits: 1910.36-37-38**

**Adequate number of exits, properly marked, and accessible. Where a passageway does not meet the requirements of an exit, it must be marked as "not an exit"**

**10. Steps/Ramps: 1910.22-23-24-24-26-27-30**

**Condition or step risers, ramps must be equipped with guardrail/handrail and toe board.**

**11. Handrails 1910. 23-24**

**All steps with four or more riser must be equipped with a standard handrail, Open sided floors four feet or more above adjacent floor must be equipped with a standard guardrail.**

**12. Ladders: 1910.25-26-27**

**Condition of rungs, side-rails, safety feet, angle where the ladder is positioned while in use, properly guarded if required.**

**13. Pallet Storage: 1910.22-37-141**

**Properly stored removing the possibility of trip hazard or any exposed nails etc.**

**14. LP Gas: 1910.178-110**

**Secured to forklift (straps in place undamaged), properly stored, (in wire cage if required). Note: there are some local laws that prohibit the storing of LP on our docks, check with the local fire Marshall.**

**15. Dunnage 1910.141-37-22**

**Properly stored and neatly stacked.**

**16. Barrel Wheeler: 1910.176-242**

**Good condition, safety latch working properly.**

**17. Two/Four Wheelers: 1910.176-242**

**General condition, wheel in good working order, slats not broken or damaged, grab handle in good condition.**

**18. Dock Plates: 1910. 30**

**General condition, properly lubricated. If the plate is portable, properly stored with the leading edge against a wall, cleats in good condition.**

**19. Bump Boards—No Actual OSHA Standard**

**General condition, secured to the building or loading dock.**

**20. Overhead Doors: 1910.178-37-157**

**Cannot be lifted with a forklift, rollers in good condition, all rollers in their track, panels in good condition, locking mechanism.**

**21. Storage: 1910.1200-106**

**OS&D Bay should be clean and orderly, Hazardous Material should be stored in a designated area. Secure High Value freight.**

**Electrical/Dock: 1910.301-302-303-304-305-178**

**1. Drop Lights**

**Operational, no empty sockets, wiring in good condition, grounded, properly guarded.**

**2. Overhead Lights:**

**Operational, no empty sockets, Guarded if required (guards are not required if the light is eight feet or more above the working surface.**

**4. Receptacles/Face plates:**

**Covered if required, face plates in place on outlets and switches, no exposed or frayed wiring, grounded.**

### **5.. Power Panels:**

**Doors must remain closed, unless attended by authorized person,  
breakers must be labeled, must be accessible.**

**6. Wiring/Insulation:**

**Wires must be in enclosed in conduit, no broken or frayed insulation.**

**7 Ground Plug:**

**All cords must be equipped with a third prong grounding plug. Path to ground must be continuous.**

**8. Bulbs:**

**Bulbs must display adequate illumination for the area, not operational bulbs will be immediately replaced.**

**9. Exposed Sockets:**

**Unless the power source is disconnected, all sockets must have a bulb in place.**

**10. Extension Cords:**

**Cannot be used to replace fixed lighting or wiring, cannot be spliced, (there are exceptions to spliced, call safety for instructions) must be equipped with a grounding plug.**

**Office**

**38. Restrooms: (OSHA Manual, Section #4)**

**Cleaned properly, sanitary supplies in place, hot and cold running water.**

**39. Floors: (OSHA Manual, Section #4--#18)**

**Free from trash or debris, no liquid spills. trash containers stored properly, any wires, cables etc. must be covered with a threshold to prevent trip hazard.**

**40. Electrical (OSHA Manual, Section #6)**

**See items 29 through 37 regarding electrical requirements.**

**41. Fire Extinguisher (OSHA Manual, Section #8)**

**Properly mounted, located as required, unobstructed, inspected monthly and annually, properly identified.**

**42. OSHA Records: (OSHA Manual, Section #27)**

**Log and Summary on file (OSHA 200) displayed during the month of February. OSHA 101 or equivalent on file. (Note: the AB workers compensation report will substitute for the 101).**

**43. Trip Hazards: (OSHA Manual, Section #4--18)**

**No electrical or telephone cords should be in floor, file cabinet drawers should be closed when not being attended.**

**44. Emergency Phone List: (OSHA Manual, Section #2)**

**Insure that the emergency phone list is posted.**

**45. Evacuation Plan: (OSHA Manual, Section #2)**

**Insure that the evacuation floor-plan has been posted and a copy of the written plan is filed in the terminal and available upon request.**

**46. Housekeeping: (OSHA Manual, Section #4)**

**General Condition of the office facility.**

**Yard Area**

**47. Speed Limit: (Co. Policy)**

**Insure that all personnel are adhering to the 10MPH speed limit on ABF property.**

**48. Stop Signs: (Co. Policy)**

**If traffic dictates, there should be a stop entering an exiting ABF Property.**



**49. Lighting: (OSHA Manual, Section #6)**

**Insure that there is sufficient perimeter lighting, all lights must be operational.**

**50. Surface: (OSHA Manual, Section #18)**

**Free from deep holes, maintained during adverse weather conditions.**

**51. Dock Apron; (OSHA Manual, Section #4)**

**Free of trash and debris.**

**52. Chock Blocks: (OSHA Manual, Section #7)**

**All trailers positioned at the dock must be chocked.**

**Security (All security items are in Section 12 Loss Prevention Manual)**

**53. Fences: (Co. Policy)**

**All terminals with fences should maintain the inside and outside of the fence, needed repairs should be made immediately. The fence should always be free of trash and debris.**

**54. Gates: (Co. Policy)**

**Unobstructed, and maintained if applicable.**

**55. Lighting: (Co. Policy)**

**All security lights must be operational.**

**56. Locks: (Co. Policy)**

**The exterior doors should be equipped with locks, where-in a key must be used to open or close from the outside. A terminal key control file should be maintained and locks changed periodically.**

**57. Dock Security: (Co. Policy)**

**Dock doors should be kept closed when not being worked. Theft-prone freight should be kept away from doors and the edges of the dock. Interline drivers and vendors should be restricted from free movement on the dock. Loitering is prohibited on terminal property.**

**58. Lock Trailers: (Co. Policy)**

**Loaded trailers parked in the yard for an extended time, on weekends, holidays, during dark hours, should be locked if not protected by backing to an object to prevent the doors from being opened.**

**59. P&D Units: (Co. Policy)**

**City pickup and delivery units should be locked anytime they contain freight, except when being loaded. Keys removed from the ignition when driver is not at the controls of the vehicle.**

**60. High Value Cage/Trailer: (Co. Policy)**

**If high-value or theft-prone freight is delayed on the dock, it should be in a locked cage or locked security trailer and the trailer protected with a kingpin lock or otherwise blocked against unauthorized movement.**

**61. Vehicle Keys: (Co. Policy)**

**When a driver is out of his vehicle, the keys should be removed and the doors locked. When the vehicle is out of service, the driver shall lock the doors and turn in the keys to be secured by a supervisor.**

**62. Security Posters: (Co. Policy)**

**Insure that the Secret Witness, Reward Poster, Emergency Phone Number Card, In case of Emergency or Accident (decal), Security Message Poster, has been posted and is visible to all employees and that any additional Security related posters are prominently displayed.**

## **EXHIBIT 7H**

## **ABF SHOP INSPECTION, REFERENCE GUIDE**

### **1. Housekeeping: (1910.141)(Section 4 OSHA)**

**General condition, adequate supply of trash container, routinely emptied, floors in good condition, liquid spills cleaned immediately.**

### **2. Restrooms: (1910.141)(Section 4 OSHA)**

**General condition for cleanliness, sanitary supplies in place.**

### **3. Eye Face Protection: (Section 9 OSHA)**

**Safety glasses or face shields shall be worn while operating grinders, certain power tools or anytime an employee is performed duties where flying particles may create a hazard.**

### **4. Hearing Protection: (1910.95)**

**Hearing protection, shall be provided if the work being performed dictates necessity. Hearing protection should be worn while using a power riveting gun.**

### **5. Fire Extinguisher: (Section 8 OSHA)**

**An adequate number must be provided., Properly mounted, inspected monthly and annually, properly marked and identified.**

### **6. Stairs/Ramps (Section 16 OSHA)**

**Stairs having four or more riser must be equipped with a standard handrail, risers must be maintained in good conditioned. Ramps must be equipped with a standard guardrail.**

**7. Scaffolding:**

**Man lift or scaffolding must be properly maintained. The top rung or standing area must be guarded with a standard guardrail except at the entrance of the step. The entrance shall have a portable guard just as a chain to protect employee from falling while the platform is occupied.**

**8. Stand/Jack/Hoist: (Section 23 OSHA)**

**Lifting device must be properly maintained and inspected. The weight capacity must be visibly displayed on the lifting device. Defective equipment must be immediately tagged and placed out-of-service until repairs have been completed.**

**9. Evacuation Plan: (Section 2 OSHA)**

**The floor-site plan must be posted along with the emergency telephone list. A copy of the written plan must be maintained in the terminal files.**

**10. Break-Room: (Section 4 OSHA)**

**General condition for cleanliness, suitable covered trash container, emptied as necessary.**

**11. Overhead Doors:**

**Doors must be in good condition, rollers must be in the tracks, panels undamaged.**

**12. Exits: (Section 17 OSHA)**

**Exits shall be readily accessible and unobstructed. Exits shall be marked with an "EXIT" sign. Doorways that do not meet the meaning of an exit shall be marked "NOT AN EXIT". (unless Obvious)**

**13. Tire Storage: (Section 12)**

**Tires shall be neatly stacked. Unstable stacks shall be immediately dismantled and restacked. Properly secured**

**14. Rag Buckets: (1910.141) (1910.106)(Section 21-4 OSHA)**

**Covered buckets or containers shall be available for the disposition of used or soiled grease or cleaning rags.**

**15. Ladders: (Section 14 OSHA)**

**Rungs and side rails shall be properly maintained. All portable ladders shall be equipped with safety feet. Ladders shall be properly stored when not in use.**

**16. Tire Cage: (Section 10 OSHA)**

**There shall be a suitable tire cage available for the inflation and deflation of tires.**

**17. Safety Posters: (Co. Policy)**

**Insure that a supply of Safety Reminder Posters are posted, the emergency Hotline decal.**

**18. OSHA Poster: (1902.4)**

**Insure that the Job Safety & Health Poster is displayed, Note: The OSHA 200 form must be posted during the month of February.**

**19. Emergency List; (Section 2 OSHA)**

**Insure that the emergency phone list is displayed.**

**20: Compressed Air: (1910.242)**

**If the air supply is used for cleaning, insure that the supply is reduced to no more than 30 psi.  
all compressors must be properly guarded.**

**21. First Aid Site: (1910.151)**

**Insure that the facility as a First Aid Kit, adequately supplied.**



**22. Air Hoses: (1910.22)**

**Insure that all hoses are properly stored, preventing slip, trip hazards, defective or leaking hoses must be taken out-of-service. Insure that any an all connection clamps meet applicable requirements.**

**23. Ventilation: (Section 22 OSHA)**

**Insure that the facility has adequate ventilation to disperse fumes and vapor. Note: ventilation may be simply cracking or opening doors, or duck and exhaust fans**

**24. Maintenance Pits:**

**Employees must be advised or an open pit area, signs should be posted, If the pit is open (no truck over Pit) the pit should be guarded. Note;a portable guard such as a chain and portable stands meets the requirements of the standard.**

**25. Vehicle Washing: (Must be approved by the Real Estate dept)**

**Insure that all water hoses etc. are properly stored if not being used. The walking surface should be swept as and kept as clean as the work permits.**

**26. Mounting/Demounting, OSHA Instructions. (Section 10 OSHA)**

**Insure that the OSHA instruction posters is displayed in or near the tire changing area.**

**27. Overhead Storage: (Section 15 OSHA)**

**Insure the weight capacity is displayed for overhead storage, the surface must be properly guarded if required.**

## **WELDING AND CUTTING (Section 20 OSHA)**

### **28. Electrodes:**

**Defective electrodes must be taken out-of-service, electrode power cables may not be spliced within ten feet of the point of operation. Cables must be inspected routinely.**

### **29. Grounding:**

**Welding equipment must be properly grounded, insure that the grounding cable is secured to the work surface. Defective grounding cables or clamps must be taken out-of-service.**

### **30. Ox/Acetylene Storage:**

**Tanks unless positioned on a truck, must be properly secured and stored, oxygen and acetylene must be stored at least twenty feet apart.**

### **31. Protective Equipment:**

**Employees must be wear protective clothing, such as face shields, goggles, gloves etc..**

### **32. Fire Extinguisher: (1910.157)(Section 8 OSHA)**

**Fire extinguisher(s) must be in the area where welding or cutting is being conducted. Properly marked and identified.**

### **33. Ventilation:**

**The area where welding or cutting is being performed must have adequate ventilation by natural means or through duck and exhaust systems if the work dictates.**

## **HAZARDOUS MATERIAL (Section 3 OSHA)**

### **34. AZ Communication Program; (1910.1200)**

**Insure that the shop has a copy of the Haz Com Program available for employee to review.**

### **35. MSDS: (1910.1200)**

**Insure that the shop have available to all employees MSDS' for all chemical being used or stored.**

### **36. Chemical List: (1901.1200)**

**Insure that a complete list of all chemicals is available.**

### **37. Storage: (1910.1200)**

**Insure that all chemicals are stored properly, flammables and combustible must not be stored re sources of ignition, containers must be closed, Gasoline must be stored in an approved safety gas can.**

### **38. Training: (1910.1200:**

**Spot check training records, to insure that all employees have been trained.**

### **39. Dip Tanks: (1910.1200)**

**Insure that employee are wearing protective equipment such as eye protection and gloves while working around dip tanks.**

### **40. Fuel Islands: (Section 21 OSHA)**

**A not smoking sign must be posted, automatic shut off nozzles must be used, insure that the emergency shut off switch is properly identified. A fire extinguisher must be positioned at the fuel island.**

### **41. Container Labels: (1910.1200)**

**Insure that hazardous material containers are correctly labeled.**

## **POWER TOOLS (Section 24 OSHA)**

### **42. Grinder:**

**Insure that all grinders are properly guarded, tool rest must be within 1/8 inch of grinding wheel, shield if equipped must be in place or protective eye wear must be worn while grinding.**

### **43. Air Hammer:**

**All pneumatic powered tools must be inspected before use, all defective tools must be tagged and taken out-of-service. Air hammer or chisels,**

### **44. Air Wrench:**

**Wrenches must be inspected before use, if found to be defective the tool must be taken out-of-service and repaired.**

### **45. Power Press:**

**Presses must be guarded to protect employee at the point of operation. If defective the press must be immediately tagged and taken out-of-service.**

### **46. Riveting Machine**

**Must be inspected before use, safety guards must be in place, defective tools must be tagged and taken out-of-service.**

### **47. Saw:**

**Must have the guard in place, power supply cord must be in good condition, properly grounded. Defective equipment must be tagged and taken out-of-service.**

### **48. Drills:**

**Properly grounded, unless double insulated and so labeled by the manufacturer. No frayed or exposed electrical wires.**

**49. Other**

**Any additional power tools should be inspected for condition**

**Electrical (Section 6 OSHA)**

**50. Drop Light**

**Lights must be operational, guarded if less than 8 feet from floor level.**

**51. Overhead lights**

**Must be operational**

**52. Receptacles**

**In good repair, no holes or gaps large enough to create a hazard.**

**53. Faceplates**

**Must be in position on a receptacles and in good repair**

**54. Power Panels**

**Doors must remain closed and each circuit must be identified**

**55. Wiring/Insulation**

**All current carrying wires must be insulated. The insulation shall not be damaged or frayed.**

**56. Ground Plugs**

**Every extension cord must have the third or grounding plug. Also all hand held power tool cord must have a grounding plug unless the tool is double insulated.**

**57. Bulbs**

**All lights should have operable bulbs.**

**58. Exposed Sockets**

**Energized sockets less than eight feet above floor level must be equipped with a light bulb.**

**59. Material/Storage (Section 21-4 OSHA)**

**All materials must be properly stored, Flammables must be stored in a closed metal container unless being used. All areas where flammables such as paint are stored must be marked "no smoking"**

**60. Protective Equipment (Section 20-22 OSHA)**

**Personal protective equipment must be provided and utilized at locations such as painting, grinding, welding/cutting.**

**61. Ventilation (Section 22 OSHA)**

**Adequate air flow must be provided where hazardous work is being performed such as welding/cutting, using solvent etc.**

**62. Housekeeping (Section 4 OSHA)**

**General conditions of shop, air hoses, tools etc. must be placed in their proper location, trash emptied regularly, any liquid spill cleaned up etc.**

**63. Hoses (Section 4-24 OSHA)**

**In good repair, stored properly, appropriate or approved clamps etc.**

**64. Equipment Storage (Section 4-24 OSHA)**

**General condition of facility, is equipment storage in proper locations.**



## **EXHIBIT 7I**



ABF FREIGHT SYSTEM, INC.  
SAFETY & SECURITY DEPARTMENT  
HOT LINE: (800) 755-6486

## TERMINAL SECURITY INSPECTION AND SURVEY

Location: \_\_\_\_\_ No. \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Manager: \_\_\_\_\_ Regional Vice President: \_\_\_\_\_

Police Department

Fire Department

Guard Service or Alarm Response

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: (24-hour) \_\_\_\_\_

INDICATE ALL DISCREPANCIES BY SELECTING THE APPROPRIATE BOX AND EXPLAIN IN COMMENTS SECTION BELOW:

### YARD

- 1 ☐ Fence in good repair
- 2 ☐ Vehicle gate locks
- 3 ☐ Pedestrian gate locks
- 4 ☐ Lighting sufficient
- 5 ☐ Plant growth control
- 6 ☐ POV parking away from dock
- 7 ☐ Scaling devices away from fence
- 8 ☐ Tire rack locked
- 9 ☐ Fuel pump locked
- 10 ☐ Storage trailer/shed locked
- 11 ☐ Shop secure
- 12 ☐ Auxiliary yard

### DOCK

- ☐ Doors closed when not in use
- ☐ OS&D worked daily
- Dock Access Controlled From:**
- 15 ☐ Visitors
- 16 ☐ Road drivers
- 17 ☐ Interline drivers
- 18 ☐ Janitors
- 19 ☐ Vendors
- 20 ☐ Security Sensitive Freight Lockup:
- 21 ☐ Key control
- 22 ☐ Sign In/Out sheet for security trailer/cage

### LOADED TRAILERS

- 23 ☐ Lock-switch program
- 24 ☐ Kingpin lock security sensitive loads
- 25 ☐ Docked, butted or blocked
- 26 ☐ Padlocked
- 27 ☐ Trailer seals used

### OFFICE

- 28 ☐ Locked from dock
- 29 ☐ Locked from drivers' room
- 30 ☐ Petty cash secure
- 31 ☐ Cash collections secure
- 32 ☐ Bank deposit daily
- 33 ☐ Vehicle keys secure
- 34 ☐ Office keys secure
- 35 ☐ Cabinet keys secure

### CLOSED HOURS

- 36 ☐ Dock doors locked
- 37 ☐ Drivers' room locked
- 38 ☐ Office locked
- 39 ☐ Vehicle gate locked
- 40 ☐ Pedestrian gate locked
- 41 ☐ Janitorial service

### POWER EQUIPMENT

- 42 ☐ Parked away from pedestrian traffic
- 43 ☐ Windows closed/locked
- 44 ☐ Doors locked
- 45 ☐ Keys removed
- 46 ☐ Security device, if equipped

### LPG TANKS

- 47 ☐ Properly secured
- 48 ☐ Inventory conducted periodically

### GUARD SERVICE

YES ☐ NO ☐

- 49 ☐ Days on duty \_\_\_\_\_
- 50 ☐ Hours on duty \_\_\_\_\_
- 51 ☐ Rate per hour \_\_\_\_\_
- 52 ☐ Company-approved contract
- 53 ☐ Written requirements

### SECURITY DEVICES

- 54 ☐ Padlocks for P & D units
- 55 ☐ Padlocks for road drivers
- 56 ☐ Kingpin locks
- 57 ☐ Other \_\_\_\_\_

### SECURITY AWARENESS

- 58 ☐ Reward poster
- 59 ☐ Secret Witness Poster
- 60 ☐ Security Message Poster
- 61 ☐ Emergency Phone No. Card
- 62 ☐ Emergency Phone No. visible from outside
- 63 ☐ Road Drivers Security Instructions
- 64 ☐ HAZ-MAT Security Manual on file
- 65 ☐ Company Security Manual on file
- 66 ☐ City Driver Security Instructions

### SECURITY ALARM SYSTEM

YES ☐ NO ☐

- 67 ☐ ADT/Sentry Alarm System working properly
- 68 ☐ Red/green lights working properly
- 69 ☐ Sounder/strobe light working properly
- 70 ☐ Gate annunciator working properly
- 71 ☐ Warning signs posted
- 72 ☐ Alarm site poster displayed (break-bulk)
- 73 ☐ Call list current
- 74 ☐ Passcode list current
- 75 ☐ Cameras/DVRs working properly

Please report corrective action within two weeks to [security@abf.com](mailto:security@abf.com) with a copy to your Regional Manager of Safety and Security.

COMMENTS:



ABF FREIGHT SYSTEM, INC.  
SAFETY & SECURITY DEPARTMENT  
HOT LINE: (800) 755-6486

## TERMINAL INSPECTION

Terminal Location: \_\_\_\_\_ Terminal No.: \_\_\_\_\_ Date: \_\_\_\_\_

Branch Manager: \_\_\_\_\_ Regional Vice President: \_\_\_\_\_

INDICATE ALL DISCREPANCIES BY SELECTING THE APPROPRIATE BOX AND EXPLAIN IN COMMENTS SECTION BELOW:

### DOCK AREA

- |  |  |  |
|--|--|--|
| 1. <input type="checkbox"/> Housekeeping           | 8. <input type="checkbox"/> Fire Extinguishers       | 15. <input type="checkbox"/> Dunnage           |
| 2. <input type="checkbox"/> Rest Rooms             | 9. <input type="checkbox"/> Exits                    | 16. <input type="checkbox"/> Barrel Wheeler    |
| 3. <input type="checkbox"/> Storerooms             | 10. <input type="checkbox"/> Steps, Ramps, Handrails | 17. <input type="checkbox"/> Two/Four-Wheelers |
| 4. <input type="checkbox"/> Aisles and Passageways | 11. <input type="checkbox"/> Tools                   | 18. <input type="checkbox"/> Dock Plates       |
| 5. <input type="checkbox"/> Safety Posters         | 12. <input type="checkbox"/> Ladders                 | 19. <input type="checkbox"/> Bump Boards       |
| 6. <input type="checkbox"/> First Aid Kit          | 13. <input type="checkbox"/> Pallet Storage          | 20. <input type="checkbox"/> Overhead Doors    |
| 7. <input type="checkbox"/> Forklifts              | 14. <input type="checkbox"/> LP Gas Storage          | 21. <input type="checkbox"/> Storage           |

### DRIVERS' QUARTERS

- |  |
|--|
| 22. <input type="checkbox"/> Housekeeping        |
| 23. <input type="checkbox"/> Showers/ Rest Rooms |
| 24. <input type="checkbox"/> Electrical          |
| 25. <input type="checkbox"/> Ventilation         |
| 26. <input type="checkbox"/> Smoke Alarm         |
| 27. <input type="checkbox"/> Fire Extinguishers  |
| 28. <input type="checkbox"/> Exits               |

### ELECTRICAL DOCK

- |  |
|--|
| 29. <input type="checkbox"/> Drop Lights             |
| 30. <input type="checkbox"/> Overhead Lights         |
| 31. <input type="checkbox"/> Receptacles/Faceplates  |
| 32. <input type="checkbox"/> Power Panels            |
| 33. <input type="checkbox"/> Wiring/Insulation       |
| 34. <input type="checkbox"/> Ground Plug             |
| 35. <input type="checkbox"/> Exposed Sockets - Bulbs |
| 36. <input type="checkbox"/> Extension Cords         |

### OFFICE

- |   |
|---|
| 37. <input type="checkbox"/> Rest Rooms           |
| 38. <input type="checkbox"/> Floors               |
| 39. <input type="checkbox"/> Electrical           |
| 40. <input type="checkbox"/> Fire Extinguishers   |
| 41. <input type="checkbox"/> Trip Hazards         |
| 42. <input type="checkbox"/> Emergency Phone List |
| 43. <input type="checkbox"/> Evacuation Plan      |
| 44. <input type="checkbox"/> Exits                |
| 45. <input type="checkbox"/> Extension Cords      |

### YARD AREA

- |  |
|--|
| 46. <input type="checkbox"/> Speed Limit                             |
| 47. <input type="checkbox"/> Stop Signs                              |
| 48. <input type="checkbox"/> Lighting                                |
| 49. <input type="checkbox"/> Surface                                 |
| 50. <input type="checkbox"/> Dock Apron                              |
| 51. <input type="checkbox"/> Chock Blocks - Check State Requirements |
| 52. <input type="checkbox"/> Fuel Island                             |

### OSHA - DOT

- |   |   |  |
|---|---|--|
| 53. <input type="checkbox"/> Safety & Security Manual       | 59. <input type="checkbox"/> City Drivers' Logs (if applicable) | 62. <input type="checkbox"/> FMCSA Book                      |
| 54. <input type="checkbox"/> First Aid Training             | 60. <input type="checkbox"/> OSHA 300 Posting - 301/301A        | 63. <input type="checkbox"/> Hazardous Communication Program |
| 55. <input type="checkbox"/> Equipment Files (city only)    | 61. <input type="checkbox"/> Poster/Posting                     | 64. <input type="checkbox"/> MSDS/Chemical List              |
| 56. <input type="checkbox"/> Monthly Safety Meeting Program | Following Distance  | 65. <input type="checkbox"/> Written Evacuation Plan         |
| 57. <input type="checkbox"/> Vehicle Condition Reports      | Safety Incentive Award  |  |
| 58. <input type="checkbox"/> Drug Testing Kit(s)            | Alcohol/Drugs/Firearms  |  |
|   | Violence Policy   |  |
|   | Job Safety & Health   |  |
|   | Headlights  |  |
|   | Safety Policy   |  |

## HAZARDOUS MATERIALS INSPECTION

- |  |   |                        |
|--|---|------------------------|
| 1. <input type="checkbox"/> Emergency Response Guidebooks                    | 9. <input type="checkbox"/> HMIS Poster                       |                        |
| 2. <input type="checkbox"/> Handling Hazardous Materials Handbook (Current)  | 10. <input type="checkbox"/> LP Storage Rack                  |                        |
| 3. <input type="checkbox"/> Hazardous Materials Chart                        | 11. <input type="checkbox"/> Orange Panels/with Numbering Kit |                        |
| 4. <input type="checkbox"/> Hazardous Materials Checklist for City Drivers   | 12. <input type="checkbox"/> Placards                         |                        |
| 5. <input type="checkbox"/> Hazardous Materials Incident Reporting Checklist | 13. <input type="checkbox"/> Spill Cleanup Supplies:          |                        |
| 6. <input type="checkbox"/> Hazardous Materials Labels                       | Oil Dry   | Goggles/Eye Protection |
| 7. <input type="checkbox"/> Hazardous Materials Load and Segregation Chart   | Tyvek Suits   | Rubber Gloves          |
| 8. <input type="checkbox"/> Hazardous Materials Storage Area                 | Dust Mask   |                        |

PLEASE REPORT CORRECTIVE ACTION BY QNET, EMAIL OR MEMO WITHIN TWO WEEKS TO THE SAFETY AND SECURITY DEPARTMENT, G.O., WITH A COPY TO THE REGIONAL MANAGER, SAFETY AND SECURITY

If more space needed for comments, please continue on next page.

### COMMENTS:

Branch Manager

Regional Manager, Safety and Security



ABF FREIGHT SYSTEM, INC.  
SAFETY & SECURITY DEPARTMENT  
HOT LINE: (800) 755-6486

## SHOP INSPECTION

Location \_\_\_\_\_ No \_\_\_\_\_ Date \_\_\_\_\_

Manager \_\_\_\_\_ Time \_\_\_\_\_

Maintenance Personnel \_\_\_\_\_

INDICATE ALL DISCREPANCIES WITH A CHECK MARK (X) AND EXPLAIN IN COMMENTS SECTION:

### SHOP GENERAL

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Housekeeping        | 11. <input type="checkbox"/> Overhead Doors |
| 2. <input type="checkbox"/> Rest Rooms          | 12. <input type="checkbox"/> Exits          |
| 3. <input type="checkbox"/> Eye/Face Protection | 13. <input type="checkbox"/> Tire Storage   |
| 4. <input type="checkbox"/> Hearing Protection  | 14. <input type="checkbox"/> Rag Buckets    |
| 5. <input type="checkbox"/> Fire Extinguisher   | 15. <input type="checkbox"/> Ladders        |
| 6. <input type="checkbox"/> Stairs/Ramps        | 16. <input type="checkbox"/> Tire Cage      |
| 7. <input type="checkbox"/> Scaffolding         | 17. <input type="checkbox"/> Safety Posters |
| 8. <input type="checkbox"/> Stand/Jacks/Hoist   | 18. <input type="checkbox"/> OSHA Posters   |
| 9. <input type="checkbox"/> Evacuation Plan     | 19. <input type="checkbox"/> Emergency List |
| 10. <input type="checkbox"/> Break Room         | 20. <input type="checkbox"/> Compressed Air |

### WELDING/CUTTING

- |   |  |
|---|--|
| 21. <input type="checkbox"/> First Aid Site                           | 28. <input type="checkbox"/> Electrodes            |
| 22. <input type="checkbox"/> Air Hoses                                | 29. <input type="checkbox"/> Grounding             |
| 23. <input type="checkbox"/> Ventilation                              | 30. <input type="checkbox"/> Oxy/Acetylene Storage |
| 24. <input type="checkbox"/> Maintenance Pits                         | 31. <input type="checkbox"/> Protective Equipment  |
| 25. <input type="checkbox"/> Vehicle Washing                          | 32. <input type="checkbox"/> Fire Extinguisher     |
| 26. <input type="checkbox"/> Mounting/Demounting<br>OSHA Instructions | 33. <input type="checkbox"/> Ventilation           |
| 27. <input type="checkbox"/> Overhead Storage                         |  |

### HAZARDOUS MATERIAL

- |  |
|--|
| <input type="checkbox"/> Haz. Communication<br>Program |
| 35. <input type="checkbox"/> MSDS                      |
| 36. <input type="checkbox"/> Chemical List             |
| 37. <input type="checkbox"/> Storage                   |
| 38. <input type="checkbox"/> Training                  |
| 39. <input type="checkbox"/> Dip Tanks                 |
| 40. <input type="checkbox"/> Fuel Islands              |
| 41. <input type="checkbox"/> Container Labels          |

### POWER TOOLS

- |   |
|---|
| 42. <input type="checkbox"/> Grinder          |
| 43. <input type="checkbox"/> Air Hammer       |
| 44. <input type="checkbox"/> Air Wrench       |
| 45. <input type="checkbox"/> Power Press      |
| 46. <input type="checkbox"/> Riveting Machine |
| 47. <input type="checkbox"/> Saws             |
| 48. <input type="checkbox"/> Drills           |
| 49. <input type="checkbox"/> Other            |

### ELECTRICAL

- |  |
|--|
| 50. <input type="checkbox"/> Drop Lights       |
| 51. <input type="checkbox"/> Overhead Lights   |
| 52. <input type="checkbox"/> Receptacles       |
| 53. <input type="checkbox"/> Faceplates        |
| 54. <input type="checkbox"/> Power Panels      |
| 55. <input type="checkbox"/> Wiring/Insulation |
| 56. <input type="checkbox"/> Ground Plugs      |
| 57. <input type="checkbox"/> Bulbs             |
| 58. <input type="checkbox"/> Exposed Sockets   |

### PAINTING/SPRAYING

- |   |
|---|
| 59. <input type="checkbox"/> Material/Storage     |
| 60. <input type="checkbox"/> Protective Equipment |
| 61. <input type="checkbox"/> Ventilation          |
| 62. <input type="checkbox"/> Housekeeping         |
| 63. <input type="checkbox"/> Hoses                |
| 64. <input type="checkbox"/> Equipment Storage    |

PLEASE REPORT CORRECTIVE ACTION BY QNET, EMAIL OR MEMO WITHIN TWO WEEKS TO THE  
SAFETY AND SECURITY DEPARTMENT, G.O., WITH A COPY TO THE REGIONAL MANAGER, SAFETY AND SECURITY

If more space needed for comments, please continue on next page.

COMMENTS:

\_\_\_\_\_  
MANAGER

\_\_\_\_\_  
SAFETY AND SECURITY MANAGER

## **EXHIBIT 7J**

**Required by Safety & Security to be posted, displayed, or have available. Other departments may require posters in addition to the ones listed here.**

**Click Human Resources Posters to order required State and Federal posters.**

**Click the link below to print the posters listed.**

ABF Chooses Not To Transport  
 Safety Policy  
 NO Alcohol, NO Drugs, NO Firearms  
 Following Distance  
 Driving With Headlights On  
 Violence Prevention Policy  
 Secret Witness Reward Poster  
 Road Driver Security Instructions  
 City Driver Security Instructions  
 Hazardous Materials Spill Procedures  
 Highway Watch Program  
 Smith System - Five Keys to Space Cushion Driving  
Annual Safety Award for current year  
Safety Meeting Posters for current month  
 OSHA 300A

**Click Safety & Security Supply Order to order items immediately below. Many other Safety & Security items can be ordered via this link.**

Emergency Hotline Sticker  
 Emergency Phone Number Card  
 Hazardous Materials Pocketbook  
 Handling Hazardous Materials Book  
 Federal Motor Carrier Safety Regulations Pocketbooks  
 Training DVD's (3 volume set)

For an EMERGENCY ACTION PLAN (evacuation floor plan and written program) Contact Toby Ross at [tross@abf.com](mailto:tross@abf.com) for a copy.

**Click Purchasing Department Supply to order the following and many more items.**

Exit Sign  
 Smoke Detector  
 Fire Extinguisher Sign  
 Hazmat Storage Area Poster  
 Hazmat Identification Poster (HMIS)  
 Hazmat Load & Segregation Chart (sticky back & large poster)  
 Hazmat Placarding Chart (sticky back & large poster)  
 Emergency Response Guidebook (ERG books)



ABF® concentrates on national and regional transportation of general commodities freight, involving primarily LTL shipments. General commodities include all freight except hazardous waste, dangerous explosives, commodities of exceptionally high value, commodities in bulk and those requiring special equipment. ABF's general commodities shipments differ from shipments of bulk raw materials which are commonly transported by railroad, pipeline and water carrier.

**ABF Mission:** To provide reliable transportation services in a responsible manner to meet customers' unique needs.

**ABF Vision:** To be a highly successful and respected organization which is profitable to stockholders, employees, and the general public.

- |                            |                               |
|----------------------------|-------------------------------|
| ■ Billing and Rating       | ■ Equipment                   |
| ■ Claim Prevention         | ■ History of ABF              |
| ■ Credit and Collections   | ■ Marketing Objectives        |
| ■ System Design            | ■ Quality Improvement Process |
| ■ eCarrier Solutions       | ■ Safety                      |
| ■ Environmental Management | ■ Weighing and Research       |





## **EXHIBIT 8**

## Memorandum

Date: August 25, 2009

To: Assistant Commissioner, Inspector General

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Southern Division

File No.: 501.14888

Subject: INDUSTRY BEST PRACTICES- ABF FREIGHT SYSTEM, INC.

On August 5, 2009, Sergeant Denise Joslin, #15143, and Sergeant Jodi Legarra, #14888, met with Retired CHP Sergeant, John Williams, who is currently employed as a Safety and Security Regional Manager at ABF. The purpose of the meeting was to identify best practices currently in use by the company. In addition, Toby Ross, Manager of Safety Compliance and Training, telephonically participated in the meeting. Mr. Ross has 23 years of experience with ABF Freight System, Inc., 10 of which he has been in his current assignment.

### Background

ABF Freight System, Inc., of Fort Smith, Arkansas, is one of North America's largest LTL (Less than truck load) carriers of general commodities. It now serves points and ports literally around the world. A rich history has unfolded as it has grown from a local carrier in 1923 to the motor carrier of international status it is today. The American Trucking Associations (ATA) recognized ABF Freight Systems, Inc. as the top motor carrier in security with their "Excellence in Security" award in 2001, 2004, 2005, and 2007. In addition, ABF was the winner of the ATA President's Trophy in 1984, 1989, 1993, and in 2003 for the best overall safety record and program. ABF has continuously ranked in the top three of the 27 largest LTL motor carriers within the US during the past 33 years.

### Safety Program Structure and 24/7 Emergency Response Line

ABF Freight Systems, Inc. Management has focused ongoing effort towards developing and maintaining a solid, innovative, constant occupational safety program. The company maintains numerous Safety and Security Regional Managers nationwide, by geographic region. This practice allows for constant oversight, which ensures compliance at all levels. There is an emergency response number staffed by trained safety personnel, 24 hours per day, 7 days per week. In addition, there is strict monitoring of DOT safety regulations.

*Safety, Service, and Security*

### **Employee Database**

ABF Freight System, Inc. has an impressive self-built database program that sets them apart from others in the industry. This database has been a "work in-progress" during the past seven years and serves as a well maintained, up to date and easy to manage filing system. The database is also used as a tool to gather data and statistics in a timely, accurate manner. Examples of the types of storage fields used to maintain data are OSHA Forms, type of injuries sustained, date and time of occurrence, terminal locations, and employee information, which includes accidents, injuries, qualification, work history, employee personal information, awards, training, driving record and notes. In addition, there is a link to an "OSHA Requirements" reference page and a "Material Safety Data Sheet" (MSDS) reference page with a generic list of products. When an employee is either involved in a collision, sustains an occupational injury, or his/her required training expires, the employee's supervisor is sent an automated e-mail informing the supervisor of the occurrence. With each occurrence, the employee's supervisor discusses the incident with the employee in depth and determines preventability, among other factors.

### **Safety Training**

The company maintains continuous safety training for all employees, which includes specialized hazardous materials training, training through partnerships with customers and specialized training upon request. Equipment safety is maintained through shortened trade-in cycles and comprehensive routine maintenance programs. Vehicle condition reports are also reviewed daily.

Safety programs have been established, which include new employee safety orientation and video presentations. In years past, employee training was predominately hands-on; however, in 2009, the company developed video training, which all employees are required to watch. This ensures all employees receive the training. Other safety programs include yearly driver awards, incentive awards, safety dinners and driver monitoring. A Monthly Safety Meeting Program agenda is developed on an annual basis. After review of the previous year's history, the program is customized to retrain and educate employees in loss prevention techniques, placing emphasis on recurrence prevention. Periodic training is conducted to advise all affected employees of any new hazards introduced into the workplace. For further information, refer to Accident, Injury and Illness Prevention Program (Exhibit 7-A), Monthly Safety Meeting Program 2009 (Exhibit 7-B), Safety Incentive Awards (Exhibit 7-C), and ABF Driver Handbook (Exhibit D). Examples of the company's training plan for pandemic flu education and guidance for cleaning contaminated truck cabs are included (Exhibit 7-E).

ABF Freight Systems, Inc. has tracked its safety performance statistics from 1987 through 2007, with specific emphasis on vehicle accidents which occurred while driving, as well as during pick up and delivery. Additionally, the total miles and total city hours are tracked and compared with the number of personal injuries during the time and/or mileage tracked. The trend analysis indicates fewer collisions and injuries have occurred in recent years (Exhibit 7-F).

The primary focus is on driver safety, accomplished through the following:

- Strict hiring practices
- 25 years of age or older for road driver
- 21 years of age or older for city driver
- 10 years employment history verification
- Exemplary driving record
- Physical examination
- Motor vehicle review
- DOT alcohol / drug testing program

### **Point System**

An internal "Point System" is maintained for all employees who are involved in an on-duty traffic collision or occurrence. This system is similar to the existing California Department of Motor Vehicles Youth Point System. Occurrences generate negative points. The Point System also rewards employees with no occurrences during a 5 year period, who have accrued positive points. Such employees may receive special recognition, such as a plaque, home fire extinguisher, or other specialized safety equipment. Employees with point levels at or below zero are considered "at risk." As positive points are accrued, the following rating scale is used:

- 8 points = A
- 6 points = B
- 5 points = C
- 3 points = D

The Point System is not publicized or used to take disciplinary action. Only Mr. Ross and the Regional Safety and Security Managers have access to the Point System database. Non-supervisory employees are not aware of its existence, nor do they have access to it. The Point System is simply used as another tool to determine a need for behavioral modification through additional training



## **Facility Inspections**

On-site facility inspections are required for each terminal. The Safety and Security Regional Managers are responsible for ensuring these comprehensive terminal site inspections, using one of three criteria:

- Annual inspection of all terminals (minimum requirement)
- Semi-annual inspections, if terminal has fifty employees or greater
- Quarterly inspections for terminals that are deemed "high hazard"

The "high hazard" label is based on the number of injuries sustained at that location, following OSHA Codes. For example, four injuries for every one-hundred employees within a year time-frame would constitute a "high hazard" facility. In addition, if there are seven injuries for every one-hundred employees within a year time-frame, a safety committee is formed and the committee members meet on a quarterly basis to discuss safety related issues. To assist the Safety and Security Regional Manager with conducting site inspections, reference guides were developed and are used as a template. Each required inspection point in the guide includes a direct reference to the related OSHA Code; refer to Terminal Inspection, Reference Guide (Exhibit 7-G), Shop Inspection, Reference Guide (Exhibit 7-H), Terminal Inspection and Security (Exhibit 7-I), Required postings by Safety & Security Department (Exhibit 7-J).

## **Company Philosophy**

ABF is committed to not only protecting their customer's freight, but also ensuring their employees work in a safe and secure environment. The company's philosophy is accidents and injuries are against company policy and traffic collisions should never be acceptable as the cost of doing business.

J. J. LEGARRA  
Sergeant